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IN MEMORIAM

In the death of Dr. Manoel de Oliveira Lima, in Washington, in March of this year, Brazil loses one of its most brilliant scholars and diplomats, and the Americas one of the warmest supporters of the Pan American idea. He served his country in many capitals of the world, including Washington; and was a true cosmopolitan, speaking and writing in half a dozen languages. Resigning from the diplomatic service, he resided for some time in London, and shortly after the war came to the United States, where he lived until his death. While in London, he opened negotiations with the rector of the Catholic University of America in Washington, and soon thereafter, in fulfillment of a long cherished desire, he and his wife presented jointly to the above institution their collection of books and manuscripts, known since as "The Ibero-American Library" and "The Oliveira Lima Collection". This collection, now amounting to over 40,000 pieces, is one of the outstanding collections of Hispano-Americana in the world. It was fitting in every way that Dr. Oliveira Lima should become its curator and librarian, and that he should become as well, professor of international law at the Catholic University of America. A born collector, he knew his books and manuscripts intimately and was most eager to share his knowledge with all who came to make researches in his collection. In a very practical and intimate way he identified himself with his collection and impressed himself on all who came to consult it in a manner

that can never be effaced. Of sound scholarship, he has left his impress also on the world of history through his many books written in several languages. At the time of his death, he had been compiling bibliographical data relative to various phases of his collection, in order to make it more serviceable to investigators. Only last year he published a book entitled *Bibliographical and Historical Description of the Rarest Books in the Oliveira Lima Collection*, the chief value of which lies in the trenchant comment made by him concerning the pieces described and the history of the times. In this number of the REVIEW will be found almost the last work completed by Dr. Oliveira Lima, namely, "The Portuguese Manuscripts in the Ibero-American Library at the Catholic University of America"—a list replete with interesting and valuable comment. He was planning much new work, both historical and bibliographical, and as this number of the REVIEW goes to press, his very last bibliographical work has just been typewritten. In a very special sense, the loss of Dr. Oliveira Lima is an acute one to the editorial staff and readers of this REVIEW, for he had been since the resumption of the publication of this REVIEW, its associate editor for Brazil; and he was ever solicitous for the success of this publication, never sparing himself in any demands made upon him but always coöperating cheerfully and in a whole-hearted manner. In his many-sided character of scholar, diplomat, Pan Americanist, author, book lover, friend, democrat, he was admirable.

JAMES A. ROBERTSON.

THE SOUTH SEA COMPANY AND THE CANADIAN EXPEDITION IN THE REIGN OF QUEEN ANNE

On May 2, 1711, Robert Harley, Queen Anne's chancellor of the exchequer, introduced into parliament measures for the organization of a South Sea Company. Two days later, a powerful, well-equipped expedition, sponsored by Henry St. John, principal secretary of state, set out under the direction of Admiral Sir Hovenden Walker and Brigadier John Hill to capture Quebec. Were these two projects integral parts of one imperial scheme? If so, their true significance has been generally misunderstood. Has the importance of the Canadian expedition been overlooked on account of its failure, and that of the South Sea Company magnified because of its temporary success and spectacular ending?

Two outstanding problems in eighteenth century English imperial policy were the control of the South Sea trade (including the West Indies) and the prevention of the encirclement of the continental American colonies by the French. Historians have been prone to emphasize the latter, to the neglect of the former. To secure the profits of trade in the Caribbean, the South Sea Company was established: to put an end to the French menace by way of the St. Lawrence and the Mississippi, Walker's expedition was launched. Consciously or unconsciously, therefore, these two projects were parts of a single imperial policy.

English statesmen of Anne's reign thought of Canada, Newfoundland, the continental colonies and the West Indies as one area strategically. Few of them, moreover, had any adequate conception of the vast extent of Anglo-French possessions in the New World. A man so well informed as Abel Boyer, the enterprising journalist, spoke of the Five Nations "in the West Indies, which lye between New-England and New-France, or Canada."¹ Narcissus Luttrell, alert ob-

¹ *History of the Reign of Queen Anne digested into Annals* (London, 1711), IX. 189. See *ibid.*, X. 151.

server of contemporary happenings, and Abbé Gaultier, confidential agent of Louis XIV. in London, confused the West Indies and Canada,² while the Duke of Marlborough was also in the dark as to the exact geography of these two areas. Even Chamberlen, the cautious historian, had no clear idea of the distance between them, and the Mæcenæ of the period, Lord Halifax, apparently fell into the same error, mistaking South America for Canada and the continental colonies.³

If these men so confused their geography, it is little wonder the average Englishman had no accurate idea of America. To officials in the admiralty, the whole of the New World was one area, strategically, whose valuable commerce must be protected by an extensive system of convoys. The American colonies were considered by the colonists themselves after 1689 as more nearly one area economically than some historians have indicated. After the "fortunate accident" in capturing Spanish treasure at Vigo (1702), England paid little attention to the West Indies for a season. Meanwhile, Governor Dudley sent to assist an expedition against Jamaica some of his Massachusetts men, whose scandalous treatment prevented any repetition of the experiment.⁴

Somewhat earlier, however, the Earl of Nottingham, secretary of State, instructed Admiral Sir David Mitchell that after the Anglo-Dutch fleet had done all the damage it could in the West Indies, it was to continue its ravages off the banks and on the coast of Newfoundland.⁵ Soon afterward,

² " 'Tis said the queen has some land forces to be sent to the West Indies . . . to seize upon the French settlements about Canada.' " (*Brief Relation of State Affairs, 1678-1714* (Oxford, 1857), VI. 572. See also *ibid.*, p. 687.

³ *Correspondance Politique, Angleterre* (Archives des Affaires Etrangères, Quai d'Orsay, Paris), 230, f 97; *Portland MSS.* (Hist. MSS. Com.) IV. 596; W. Coxe, *Memoirs of . . . Marlborough* (London, 1847), III. 418, 420; P. Chamberlen, *Impartial History of . . . Queen Anne* (London, 1738), p. 376.

⁴ J. Burchett, *Complete History of Most Remarkable Transactions at Sea* (London, 1720), p. 598; *Calendar of State Papers, Colonial: America and the West Indies, 1702*, pp. 594, 704; *ibid.*, 1702-1703, pp. 36, 159, 187, 192. See also J. T. Adams, *Revolutionary New England* (Boston, 1923), pp. 23, 68.

⁵ Godolphin Papers, Brit. Mus., Add. MSS. 29587, ff. 103-106, found in Library of Congress (Manuscript Division), Brit. Transcripts, 193.

Colonel Robert Quarry, an admiralty judge in the colonies, recounted the fears of French privateers, entertained by the mainland colonies, who claimed to have lost heavily, because the French vessels came usually from Martinique or Guadeloupe, and when hard pressed, fled for refuge to Port Royal in Acadia, the Dunkirk of America.⁶ Quarry insisted that the New York colonists had had extremely valuable trade with the Spaniards and an even more profitable (though illegal) commerce with Madagascar, but they had lost during the war most of their valuable tobacco trade.⁷ Dudley, too, realized the economic danger in an alliance of the French and Iroquois, which

would bring Maryland and Virginia to the last distress to the loss of the best trade belonging to Her Majesty in all the West Indies.⁸

This close interdependence of English West Indian and mainland colonies was called to Anne's attention by the board of trade, which informed her that the West Indies would

not be able to carry on their trade or even subsist (especially in time of war) without the necessary supplies [from the twelve colonies], so that it will highly tend to the ease and security of your Majesty's subjects in America, and to the increase of that trade so beneficial to Great Britain, if the French be driven from . . . the Northern Continent.

During the first inter-colonial war, English colonists, learning to think of the West Indies and the mainland colonies as one, informed the board of trade that the French must be removed as a menace to British settlements in North America, Jamaica, and Newfoundland, for

⁶ *Penn-Logan Correspondence* (Philadelphia, 1870-1872), II. 160; *Calendar of State Papers, Colonial, 1702*, p. 141; *ibid.*, 1702-1703, pp. 73, 571. Quarry also described the close commercial relations of North America and the English West Indies. Pennsylvania feared French activity in the West Indies (*Penn-Logan Corr.*, II. 164). See also *Cal. St. Pap., Col., 1706-1708*, pp. 16, 114, 246, 312, 554.

⁷ *Cal. St. Pap., Col., 1702*, p. 52; S. Martin-Leake, *Life of Admiral Sir John Leake*, (London, 1920), II. 350.

⁸ *Cal. St. Pap., Col., 1704-1705*, p. 140; *ibid.*, 1706-1708, p. 591. Was this also a case of geographical confusion? See also *ibid.*, 1696-1697, p. 642.

being fixed at Martinico and Guadalupa, they intercept all our ships coming with provisions from our Northern colonies, without a supply whereof the planters must suffer and their negroes perish.⁹

Immediately after the treaty of Ryswick, William III. ordered Admiral John Benbow to prey upon the treasure fleets in the South Sea and capture Newfoundland. The same idea, moreover, is implied not only in Mitchell's instructions in 1702, but also in the suggestions made to the Canadian expedition of 1711, which after capturing Quebec, should proceed to Buenos Aires to establish that commerce on a favorable basis.¹⁰

France, apparently, recognized this mutual interdependence almost a generation earlier than England. In 1678, a great French fleet was planned for the West Indies. La Barre, appointed governor of Canada four years later, was instructed to cultivate friendly relations with the West Indies, and exercise firm control over the Canadian fur trade. In 1686, France and England signed a treaty of neutrality as to their American colonies, which included Canada, Newfoundland, the West Indies, New England and Virginia.¹¹

Since the admiralty must not only protect the continental colonies and the West Indies, but furnish convoys to English merchants bound to and from both areas, and capture the galleons laden with the precious metals of Mexico and Peru, its task in the New World was no sinecure. William III. had

⁹ Colonial Office (P. R. O.), 324/9; *Cal. St. Pap., Col.*, 1696-1697, pp. 96, 159, 235, 343; *ibid.*, 1701, pp. 239, 633; *ibid.*, 1708-1709, pp. 165, 301-337, *passim*. Adam Smith insisted much later that the "lumber and provisions of the United States are more necessary to our West India Islands, than the rum and sugar of the latter are to the former". (A. L. Linglebach, "Inception . . . Board of Trade," *American Historical Review*, 1926, XXX, 708).

¹⁰ Falaiseau to [St. John], October 30, 1711, Rawlinson MSS. (Bodleian Lib'y), C. 392, f. 197; *Cal. St. Pap., Col.*, 1702, pp. xi, xxviii; *ibid.*, 1702-1703, pp. viii, 545, Nos. 18b, 163.

¹¹ L. F. Stock (ed.), *Proceedings and Debates of Brit. Parliaments respecting North America* (Washington, 1924), I. 414; *Collection de Manuscrits . . . a la Nouvelle France* (Quebec, 1883), I. 343-356; *Cal. St. Pap., Col.*, 1700, p. 333.

thoughts of sending four or five regiments to Jamaica, under pretense of defending his possessions there, but in case of necessity, they might make themselves masters of the Spanish possessions in the West Indies, without the French being able to hinder them.¹²

The failure of Admirals Benbow and John Graydon either to overcome DuCasse's squadron in the Carribean or capture Newfoundland brought them into ill favor at home. English merchants were notoriously unsympathetic with the frequent naval miscarriages,¹³ which only reflects their great interest in all of British America, a fact made abundantly clear by the tremendous concern of the English mercantile classes over the Scottish endeavor to settle a trade to the South Sea.¹⁴

The interrelation of the West Indies and the continental colonies may be traced in the career of the Heathcote and Dummer families, which may well be duplicated in the case of many other English families. The eldest of seven brothers, Sir Gilbert Heathcote, was a member of Parliament, lord mayor of London, governor of the bank, and deeply concerned in the West India trade. Samuel made a fortune importing Virginia tobacco for the Czar; three others were interested in West India commerce, while Caleb, the youngest, was a highly successful merchant and administrator in New York. William, the eldest of the Dummers was at times Lieutenant

¹² P. Grimblot, *Letters of William III and Louis XIV and their Ministers* (London, 1848), I. 349.

¹³ Burchett, *op. cit.*, p. 602; Sir G. Rooke, *Journal* (London, 1897), p. 164; W. Blackley, *Diplomatic Correspondence of Rt. Hon. Richard Hill* (London, 1845), I. 183; *House of Lords MSS.*, 1702-1704, pp. 497-510. Graydon failed to engage Du Casse's squadron, returning from "American ports, loaded with specie, amounting it was said to four million pieces of eight" (Charlevoix, *Histoire . . . de la Nouvelle France* (Shea's ed., New York, 1866-1872, V. 162). The peers asked Graydon's removal for his arbitrary proceedings in the West Indies ([T.] Salmon, *Chronological Historian*, London, 1723, p. 263). In 1702, Admiral John Munden, having failed to stop Du Casse, was tried by courtmartial and acquitted, but Anne insisted on a revision of the sentence and he was dismissed (T. Lediard, *Naval History*, London, 1734, pp. 742-744).

¹⁴ See *House of Lords MSS.*, 1695-1697, p. xv, No. 955; *ibid.*, 1699-1702, p. 73; *Cal. St. Pap., Col.*, 1696-1697, pp. 333, 525; *ibid.*, 1697-1698, p. 340; *ibid.*, 1699, *passim*; Cole, *Memoirs* (London, 1733), p. 97.

governor and governor of Massachusetts Bay; his brother, Jeremiah, was an agent for Massachusetts; and Edward was interested in the West Indies.¹⁵ Such family interests may have been partially responsible for the lively concern which parliament manifested in the West Indies, leading them eventually to prepare a bill for the "better carrying on the war to the West Indies".¹⁶

Another intimation of the close relation between the mainland and the West Indies is found in the bitter verbal attacks upon the illegal trade of the continental colonies with the Dutch possessions. Sir Gilbert Heathcote complained loudly of the "Hollanders at Curasao", whereas another writer insisted that if Curaçao were "sunk under the water it would be better for England by 5 or £600,000 in one year."¹⁷

The close economic and strategic relations of Canada, the twelve mainland colonies and the Caribbean, caused them all, therefore, to be associated in the minds of English ministers and foreign diplomats. Preparations for attacking the West Indies were projected by both English and Dutch from the beginning of Queen Anne's war, and William III. anticipated the declaration of war to so good an effect that the Plate fleet

¹⁵ *Cal. St. Pap., Col., 1702-1711, passim*; D. R. Fox, *Caleb Heathcote* (New York, 1926), pp. 6, 33.

¹⁶ The American slave trade was so important that it caused Paterson to suggest organizing a trading company to the New World (S. Bannister, *Paterson's Writings*, London, 1859, III. 13, 19). An optimistic contemporary estimated that the African trade properly organized would bring in a million sterling every year (J. Houston, *Some New and Accurate Observations*, London, 1725). See also *Cal. St. Pap., Col., 1708-1709*, p. 211. For other commercial interests in the West Indies, see F. W. Pitman, *Development of British West Indies* (New Haven, 1916). France intimated that England supported Archduke Charles in return for commercial privileges in the Spanish Empire. (*Correspondance Politique, Angleterre*, Paris, 233, ff. 37-40); *Baschet Transcripts* (P. R. O.), 197, f. 354. See also *Brit. Mus., Add. MSS.*, 22,204 f. 14.

¹⁷ *Cal. St. Pap., Col., 1702-1703*, p. 661; *ibid.*, 1708-1709, p. 506; O'Callaghan, *Documents Relative to the Colonial History of the State of New York* (New York, 1853-1862), V. 31, 57, 159; *House of Lords MSS., 1699 to 1708, passim*.

had not dared come home in two years.¹⁸ England and Holland seemed exceedingly anxious to prevent any bullion reaching France.¹⁹ The Earl of Godolphin, lord high treasurer, clearly appreciated the importance of Spanish American treasure in the ensuing struggle. William Paterson, the shrewd Scottish financier who helped found the bank, had studied the West Indies at close range, and felt that England should capture the French and Spanish islands both as a measure of defense and as a means of gaining a supply of treasure. Nottingham's interest in the same area is evidenced by his instructions to Admiral Mitchell, who was to acquaint Heinsius, the Grand Pensionary, that an expedition against the Spanish West Indies was

of very great importance, both for our own commercial interest and in prejudice of our enemies, by depriving them of the supply of money and plate which they seem to rely on for ye support of the war.²⁰

A memorandum favoring Anglo-Dutch coöperation in the West Indies suggested capturing Havana, because it would cut into the bullion trade.²¹ Havana, indeed, was clearly recognized by both Louis XIV. and William III. as a most valuable place, strategically and economically. Godolphin, likewise, desired Havana, as it "would put a total stop to

¹⁸ Hatton-Finch Papers, British Museum, Add. MSS., 29, 591; *Cal. St. Pap., Domestic, 1702-1703*, p. 60; J. C. Campbell, *Lives of the Admirals* (London, 1817), IV. 368. See also *Journal Board of Trade, 1704-1709*, pp. 97-101; *Cal. St. Pap., Col., 1696-1697*, pp. 361, 387, 513; *ibid.*, 1701, p. 284; *ibid.*, 1702-1703, pp. 596, 780; C. Cole, *Memoirs of Affairs of State* (London, 1733), pp. 297-410, *passim*; *Cal. St. Pap., Domestic, 1703-1704*, p. 200.

¹⁹ *House of Lords MSS., 1706-1708*, pp. 23, 127; *Cal. St. Pap., Col., 1706-1708*, p. 97; *Marlborough MSS.* (Hist. MSS. Com.), p. 44^a; Sir G. Murray, *Letters . . . of Marlborough* (London, 1845), I. 8.

²⁰ Godolphin Papers, Add. MSS., 29587, ff. 103-106; Cole, *op. cit.*, 297, 300; A. Boyer, *Political State of Great Britain*, I. 393; Paterson's *Writings*, I. cii. Some months later, Nottingham wrote the admiralty council that the lords of the committee (cabinet) "agree that the preparation of the West India fleet should be hastened". (*Cal. St. Pap., Dom., 1703-1704*, p. 115; *State Papers, Domestic, Entry Book*, 209, f. 98).

²¹ *Cal. St. Pap., Col., 1702-1703*, p. 128. See also *ibid.*, p. 462.

trade from Spain to . . . Peru and Mexico". Carthagena and Porto Bello were also important centers for the bullion trade, while Nottingham learned that

Panama, which is washed by the South Sea, is a storehouse of all the riches of Mexico and Peru, [and] whoever is master at Sea may easily take and maintain this post.²²

Despite the clear realization of the economic basis of the war, nothing of consequence was attempted until eight years after Vigo. The admiralty, meanwhile, sought to capture the galleons as they set forth from the Indies.²³ The ill-starred attempts of Admirals Benbow, Munden, and Graydon neutralized Admiral Sir George Rooke's unexpected success in 1702, although the admiralty was constantly on the watch for merchant ships or galleons, east or west bound. The squadrons of Chateau-Renault, D'Iberville, and Du Casse caused much concern to the ministry,²⁴ which had little success in intercepting galleons, whose regular voyages, however, to and from the Spanish coast were interrupted. Admiral Sir Charles Wager, moreover, with four warships, engaged "17 Spanish galleons . . . reckoned to be worth thirty million pieces of eight and captured one".²⁵ The Earl of Sunderland, secretary of state, wrote enthusiastically

by accounts they are the richest that have for many years returned to Europe. This must in all probability prove a fatal blow to France,

²² Godolphin Papers, Brit Mus. Add. MSS., 28,058, f. 31; *Cal. St. Pap., Col., 1702*, p. 671.

²³ *Cal. St. Pap., Col., 1710-1711*, pp. 224, 302; Grimblot, *op. cit.*, I. 491, 504, II, 10; E. S. Grew, *Bentinck and William III* (London, 1923), pp. 325-39; *Cal. St. Pap., Col., 1702-1703*, *passim*; *Cal. St. Pap., Dom., 1703-1704*, pp. 520, 535, 547; Hatton-Finch papers, Brit. Mus., Add. MSS., 29,591; Lord Torrington's *Memoirs* (Camden Soc., 1889), pp. 89, 127, 171. Captain Hovenden Walker was detached from Rooke's squadron to join Benbow (*Cal. St. Pap., Col., 1702-1703*, p. 543).

²⁴ *Cal. St. Pap., Col., 1706-1709*, *passim*; *House of Lords MSS., 1706-1708*, pp. 267, 310, 500; *Acts and Resolves of Massachusetts, 1706-1707*, VIII. 667.

²⁵ Salmon, *op. cit.*, p. 290*. Wager's share was reckoned at £100,000, and he was created rear admiral upon his return. Another writer valued his prize at £15,000,000. *Cal. St. Pap., Col., 1706-1708*, Introduction.

for I believe this was one of their last resources for carrying on the war.²⁶

In view of the great importance attached, in an age pre-eminently mercantilistic, to the supply of bullion reaching French coffers, why was so little attention paid to the Caribbean area from 1703 to 1710? Eighteenth century statesmen considered the West India colonies of greater consequence than those on the mainland, and England coveted both the French and Spanish West Indies which, according to Professor Osgood, helped make the "Caribbean Sea the cockpit of the nations". Nevertheless, little was done to forward English interests in that region, despite the earnest efforts of such influential personages as Sir Gilbert Heathcote.²⁷

William III.'s consciousness of the value of the area is evident in the Grand Alliance (1701), which provided that whatever the Dutch or English gained in the Spanish West Indies, they should "continue in full possession of".²⁸ The next year, it seemed that a powerful Anglo-Dutch expedition might be sent to the Caribbean to destroy all French power there, but the project failed because Dutch jealousy reasserted itself immediately after William's death. The Dutch not only failed to fulfil their obligations, but checked English plans in the Caribbean. Through the Dutch influence, however, commercial intercourse was reopened with the Spanish West Indies on the grounds that they belonged to Charles III., one of the allies, and by this method, the Dutch and English would at the same time secure bullion, weaken France, and strengthen Anglo-Dutch bonds. From this time forward, however, Anglo-Dutch recrimination, rather than coöperation, prevailed with reference to the South Sea.²⁹

²⁶ *Marlborough MSS.*, p. 33^a; *Cal. St. Pap., Col.*, 1703-1709, p. 214.

²⁷ *Pol. St.*, I. 393. See also *ibid.*, V. 89. Paterson's *Writings*, II. lxxviii; James, *op. cit.*, III. 283.

²⁸ *Short Defense of Barrier Treaty* (1712), p. 19; Cole, *op. cit.*, p. 416.

²⁹ *House of Lords MSS.*, 1704-1706, pp. 88, 166; *Cal. St. Pap., Col.*, 1704-1705, pp. 49, 69, 96.

Austria also objected to England's great interest in the Caribbean. Count Johann Wratislaw, the imperial ambassador in London, presented a memorial against a South Sea expedition, and both Wratislaw and Johann Hoffman, imperial secretary at St. James's, devoted much attention to the question.³⁰ Friedrich Bonet, Prussian resident in England, and Baron Caspar von Bothmer, Hanoverian envoy extraordinary, were likewise disturbed by Anglo-Dutch activity in that area.³¹

Jealousy between the two political parties also helped prevent a West India expedition. The tories who generally supported the navy and opposed active participation in continental wars,³² were in power during the first years of Anne's reign, when England was seeking Dutch naval coöperation in the Caribbean. Unfortunately, England's navy had been so starved under William³³ as to be in no condition to carry on an aggressive campaign. It became therefore, a sort of contest between the army and navy. Marlborough, himself a tory, by his four splendid victories over Louis XIV., placed the emphasis on the Flemish, rather than on the Spanish or naval phases, because at that time the navy seemed relatively ineffective. Not that Marlborough was oblivious to the importance of either the Mediterranean or Caribbean, but his unexpected successes suggested that the war might be concluded more quickly by a deadly thrust at the heart of France.

The merchants, too, by their incessant clamor for convoys for their ships, contributed indirectly to the navy's failure to

³⁰ January and February, 1703. Staats-Archiv (Wien), England, B. 52; James, *op. cit.*, III. 175.

³¹ Geheime Staats-Archiv (Berlin), England, Rep. XI. 73Y; Bothmer's dispatches, Hanoverian Staats-Archiv (1711); Bothmer, *Memorial*.

³² *Pol. St.*, II. 221. Rochester, Anne's uncle and Harley's rival as tory leader, said in the house of lords, December, 1707: "I remember the saying of a great general . . . that the attacking France in the Netherlands, is like taking a bull by the horns." He proposed that England should act on the defensive in Flanders, and send fifteen to twenty thousand men to Catalonia. *Py. His.*, VI. 607.

³³ Blackley, *op. cit.*, I. 86; *House of Lords MSS.*, 1699-1702, Nos. 1571, 1599. See C. B. R. Kent, *History of the Tories* (London, 1908), p. 448.

carry on an aggressive campaign in the South Sea, because they made it increasingly difficult in the run down condition of the navy, for the admiralty to get together, without Dutch assistance, any fleet sufficiently powerful to overawe French privateers and destroy French power in the Caribbean. Peterborough complained that too many warships were diverted to hunting galleons in the West Indies when they had no chance of success.³⁴ Certainly, most of the energies of the English navy in the South Sea were devoted to capturing treasure-laden ships, and the demands of the influential merchants for convoys obviously contributed to the navy's failure in this work.³⁵ The admiralty, moreover, must have suffered severely while the ineffectual Prince George, the queen's consort, was lord high admiral, and the tories never lost an opportunity to reflect in parliament upon the naval miscarriages. Godolphin and Rooke both felt this. At the close of 1707, two members of the whig junto actually joined the tories in insisting that the ministry prevent Spain and the West Indies going to the Bourbons.³⁶

Whereas these factors helped divert attention from the Caribbean, the unexpected capture of Gibraltar gave the

³⁴ *Cal. St. Pap., Col., 1706-1708*, Nos. 752, 794, 797; *Pol. St.*, I. 100; *Py. Hist.*, VI. 952; Murray, *op. cit.*, I.-III., *passim*; Rooke, *Jour.*, p. 154; W. F. Lord, *England and France in the Mediterranean* (London, 1898), p. 31.

³⁵ This statement is based on an examination of the *Calendar of State Papers, Colonial*, the House of Lords Manuscripts (printed and manuscript), the files of the *London Gazette*, particularly for 1709 to 1713, and dispatches of foreign representatives in London, especially those of L'Hermitage. The uproar over the loss of the Smyrna fleet and the naval miscarriages of 1707 suggest the same thing. *Brit. Mus., Add. MSS.*, 17677DDD, EEE, and FFF, *passim*; C. P. A. (Paris), 230, ff. 22, 51; *ibid.*, 235, f. 289; and *Cal. St. Pap., Col., 1702-1703*, p. 76; *Py. Hist.*, VI. 619-62.

³⁶ Blackley, *op. cit.*, I. 183; *Portland MSS.*, IV. 74. The passing of Somers' resolution that "no peace can be honourable or safe . . . if Spain, the West Indies or any part of the Spanish monarchy" remained under the Bourbons, ruined Goldolphin's efforts to form a center party. It is curious, perhaps significant, that Anne was present *incognito* at the debates in 1707 and again in 1711 when the question of the Spanish West Indies came up. (James, *op. cit.*, III. 300).

maritime powers an unparalleled opportunity of attacking France in another area—the Mediterranean—which was strengthened later by the acquisition of Port Mahon. All this, together with Marlborough's victories, directed attention away from Spain and the West Indies,³⁷ while the Methuen treaty (1703), transforming Portugal into a political and economic satellite of England, contributed directly to the same end. The importance of the Mediterranean had increased and the Caribbean area was neglected.

Faced by the severest criticisms of the conduct of the admiralty and of the war in Spain, the whigs, after 1709, made some abortive efforts to stress the Spanish and imperial phases of the war. Ambitious attacks upon Canada were projected in 1709 and 1710, but at the last moment the troops were sent to the Peninsula. In 1710, however, New England colonials, assisted by four hundred English marines, captured Acadia, which at the same time gave the merchants trading to the continental colonies and the West Indies³⁸ great relief from French privateers, while whetting colonial appetites for Canada. After Marlborough's costly victory at Malplaquet, the continental war became a stalemate, because Louis XIV. had no intention of tempting fate in a fifth, and perhaps fatal engagement with the greatest general England had yet produced.

Such was the situation in the summer of 1710, when the Whigs were driven from power. The Tories at once naturally turned to Spain and the colonies in an endeavor to close the war with a triumphant peace. They needed peace. While

³⁷ *Marlborough MSS.*, p. 35^a. Corbett doubtless exaggerates William III.'s desire for Mediterranean ports, but after the king's death others, too, sensed their importance (J. Corbett, *England in the Mediter.*, London, 1904, II. 496-572). Cf. A. T. Mahan, *Influence of Sea Power, 1660-1783* (N. Y., 1890), p. 206. Marlborough was much interested in the Caribbean and the Mediterranean (Murray, *op. cit.*, I-IV., *passim*). Soon after the capture of Gibraltar, John Methuen insisted that England must never part with it (Godolphin Papers, Brit. Mus., Add. MSS., 28,056, f. 145; *Marlborough MSS.*, p. 44^a).

³⁸ "Lord Sunderland's book of lres and instructions" (1709), C. O. (P. R. O.) 5/9, No. 24. See also *ibid.*, Nos. 66-67, 73-75.

negotiations were pending, however, it was well to shift the emphasis in the war, lest Marlborough's genius win a decisive success and bring back the whigs. For public consumption, the Tories insisted upon a vigorous prosecution of the war in Spain, while quietly they stressed the imperial phase of their problem. Before the new parliament assembled, Peterborough was ordered to Vienna to concert measures for a more active campaign,³⁹ and Anne's speech from the throne in November definitely indicated this change in policy.

This plan of attacking Canada and building up a trade to the South Sea would inflict serious damage upon France without the heavy expense of a direct attack. Harley fully realized the importance of the West Indies. While secretary of state (1706), he had written the Dutch envoy to St. James's, favoring a joint attack in the Caribbean, and was now again urging the same plan on the Pensionary of Amsterdam, a project to which St. John, the leading secretary of state, was most kindly inclined. Harley's attention was called very early to the importance of this area by the persistent Paterson, who saw clearly its great economic significance. Halifax wrote Harley in September, 1710, if the proposed expedition "towards South America" were to have a reasonable chance of success, it must start in a month.⁴⁰

Financial exigencies also forced Harley to seize hold of some such scheme as a trading company, for Godolphin had left finances in a bad situation, due partly, however, to the change in the ministry, the collapse of the insurance boom, and the unsympathetic attitude of the bank and monied classes.⁴¹ Early in January, 1711, Harley, as chancellor of

³⁹ G. Parke, *Corr. of Bolingbroke* (London, 1798), I. 21. Peterborough, however, tarried some time in London (S. P. D., E. B., Warrants, 356, f. 231).

⁴⁰ *Portland MSS.*, IV. 583, 596, 637; Paterson's *Writings*, I. i; Murray, *op. cit.*, III. 10; Parke, *op. cit.*, I. 23, 25, 34.

⁴¹ *Correspondance Politique Angleterre* (Paris), 230, ff. 281, 284; *Portland MSS.*, II. 217; Swift, *Four Last Years* (T. Scott ed.), p. 92. Earl Rivers, moreover, assured Heinsius that Harley had influence with the monied men. Drummond reporting three weeks later that English credit was now good at Amster-

the exchequer, agreed to pay the bank £45,000 for cashing a certain issue of exchequer bills at par. He hoped thus to arrest the decline of credit, which continued until a bill was passed in March, dissolving the speculative insurance companies. He also resorted successfully to lotteries in raising three and a half million sterling in 1711. "Il est pourtant certain," wrote Bonet to his king,

que la Tresorerie est fort embarrassee, parce qu'elle manque d'espees, ce qui l'oblige de presser en parlement le Bil pour lever un million et demi par voye de Lotterie.⁴²

These palliatives were far from sufficient. Influenced partly, perhaps, by Godolphin's earlier interest and by Pater-son's arguments, Harley began to plan the South Sea Company. He was familiar with the founding of the bank, and had backed Chamberlen's abortive land bank scheme; along with Godolphin, he had been active in framing the final compromise between the two East India companies. Political expediency urged him on. Slight successes for the allies in Spain during the summer of 1710 probably encouraged him somewhat, as did the capture of Acadia. A contemporary pamphlet described Louis XIV.'s position as so desperate that had his defeat at Saragossa come a month sooner he would have been compelled to make peace at Gertruydenberg;⁴³ another writer maintained that France was saved only by the supply of gold and silver coming from Spanish America, computing that Louis had drawn from the West

dam, advised him to make all his ministerial changes at once, and send a fleet to the West Indies (*Portland MSS.*, IV. 560, 578, 580).

⁴² February 20, 1711, Geheime Staats Archiv (Berlin), Rep. XI, 73, Conv. 37; *Portland MSS.*, IV. 650, *sq.*; Jones, *op. cit.*, pp. 115, 212, 276; Brit. Mus., Add. MSS., 17,677EEE, ff. 81, 96, 104. Drummond hoped that Harley might compel the bank to discount foreign bills, as its refusal seemed due only to Sir Gilbert Heathcote's desire for revenge (*Portland MSS.*, IV. 618).

⁴³ *Letter on the Negotiations of Peace* (1712), *Annals*, X. 105. See also State Papers Domestic, Anne, B. 13, f. 84; State Papers Domestic, Letter Books, 109; Geheime Staats Archiv (Berlin), Rep. XI, 73, Conv. 37; *Portland MSS.*, IV. 22, *sq.*

Indies since the beginning of the war such stupendous sums as "have enabled him to pay his troops". Bothmer feared lest France might be able to divide the allies, and gain a breathing spell to "reinforce herself with the riches of the Indies".⁴⁴ After the collapse of the allied powers at Brihuega,⁴⁵ in Spain, the tories deemed it vitally necessary to retrieve the loss of prestige there, which they of course attributed to whig blunders.⁴⁶

Although the immediate occasion for founding the South Sea Company may have been the desire to reëstablish credit, Harley unquestionably saw its value in the Anglo-French peace negotiations already under way. The Gertruydenberg parleys had broken down largely over the disposition of the Spanish West Indies. Louis XIV. was then so highly displeased with the Dutch that he turned, after the ministerial revolution of 1710, to the tory leaders, who met his overtures more than half way.⁴⁷ Louis was in no humor, however, to grant England a monopoly of the South Sea trade, and was willing to yield but little in the way of commercial concessions there, although it appears highly probable that a gentleman's agreement relative to the Asiento was made before Harley began serious negotiations through Abbé Gaultier.⁴⁸

The South Sea Company was more than a political gesture; more than a scheme to avert bankruptcy; more than a

⁴⁴ While Louis appealed to French patriotism after Gertruydenberg, "much of the gold and silver of Mexico and Peru came floating into his treasury" (J. W. Gerard, *Treaty of Utrecht*, N. Y., 1885, p. 198).

⁴⁵ G. Burnet, *History of Our Own Time* (Oxford, 1833), VI. 17; O. Klopp, *Der Fall des Hauses Stuart* (Wien, 1888), XIV. 31. Swift expected securities to fall like "stockfish" after Brihuega. Torcy noted that "cet événement mettait la couronne sur la tête du roi Catholique" (*Jour. de Torcy*, p. 322).

⁴⁶ Bonet's dispatch, January 2, 1711, G. S. A. (Berlin), Rep. XI. 73, Conv. 37; Brit. Mus., Add. MSS., 17,677EEE, ff. 32, 37, 46, 86; Gallas' dispatches, January 9, 1711, S. A. (Wien), England, B. 65; *Vindication of Clamours raised against the Peace* (1711), p. 28.

⁴⁷ Correspondance Politique Angleterre (Paris), 230, ff. 316, 411; *Jour. de Torcy*, pp. 256, 294-299; *Annals*, IX. 11, 25, 27; F. Salomon, *Geschichte des letzten Ministeriums Königin Annas von England* (Gotha, 1894), p. 53.

⁴⁸ Baschet Tr. (P. R. O.), 197, f. 177; C. P. A. (Paris), 233, f. 202.

pawn in peace negotiations; it was also a serious endeavor to anticipate some of the more modern extensions of the use of credit; still more than that, it was a war measure which, should peace fail, might make the war pay for itself from the profits of the Caribbean trade. The great allurements of such a company to a people imbued with mercantilism can scarcely be appreciated today. The large profits of Spanish-American trade, plus the possibility of tapping the mines of Mexico and Peru, might at the same time with the Asiento, rescue the languishing Royal African Company, increase the value of government securities, release Harley from dependence on the bank, and afford relief from heavy taxation.⁴⁹ It was at once a venture in high finance, a peace move, a political manoeuvre, a war measure, and an imperial project.

Who deserves the credit for originally suggesting the Company? Dr. Hugh Chamberlen, the famous midwife, had some such idea behind his land bank scheme under William. Paterson had held this as his favorite project since the collapse of the Darien Company, and Dean Swift recognized its possibilities. To that versatile and forgotten hero, Daniel Defoe, such a scheme was the "apple of his eye", and his *New Voyage around the World* expressed "his most constant dreams, i.e., the opening up of an English trade with Spanish West America".⁵⁰ Harley really inaugurated the company, however, which had, moreover, Halifax's spiritual blessing.

While Harley sought the best means of organizing the South Sea Company, New England was insisting upon an ambitious expedition to capture Canada. In view of promises

⁴⁹ C. P. A. (Paris), 235, f. 305; Paterson's *Writings*, III. 291; Cole, *op. cit.*, p. 416; Weber, *op. cit.*, p. 73. The company aroused the highest "ideas of the advantages of a trade thither, which were further heightened by observing the vast riches which France has brought home from thence since . . . Anjou had ruled in Spain" (D. Macpherson, *Annals of Commerce*, London, 1805, II. 18).

⁵⁰ [Gibson], *op. cit.*, p. 115; *Portland MSS.*, V. 51, 58-61, 66; *Conduct of the Allies*; J. Masfield, *Masters of Literature*, p. XX. Gibson mentions Dr. Paul Chamberlen, his younger brother, but Hugh's letters show that Gibson was in error (*Portland MSS.*, IV. 150, 300, 391).

made in 1709, and renewed in 1710, the ministry could scarcely refuse, inasmuch as these colonists had practically presented Port Royal to the crown. Peace negotiations had begun, and a successful expedition against French or Spanish America would measurably increase the number of pawns in Harley's hands. While Colonel Francis Nicholson and Jeremiah Dummer were convincing the ministry of the necessity of conquering Canada, Harley, St. John and the queen still hoped that the Dutch would join them in sending a fleet against the West Indies.⁵¹ Preparations for Walker's expedition, therefore, went on side by side with the plans for floating the company. St. John had general control of the former, which proceeded more rapidly than did the latter, due largely, perhaps to the attempted assassination of Harley, which prevented him for some weeks from perfecting his plans, although the death of the emperor and the hostility of the Dutch probably hindered him. The need of bolstering up credit was so urgent, however, that as soon as Harley was convalescent, he introduced his proposals into the commons, two days before Walker set out.

Peace overtures between England and France had certainly been in train since the close of 1710,⁵² and definite preliminaries were suggested by France in April, 1711,⁵³ but known, apparently, only to Harley, the Duke of Shrewsbury, the Earl of Rochester, the Jacobite Earl of Jersey, and St. John.⁵⁴ Plans for the company and preparations for the

⁵¹ *Portland MSS.*, IV. 625; *Annals*, IX. App. i, pp. 20, 23; Parke, *op. cit.*, I. 12, 23, 83.

⁵² Gaultier to Torcy, December 23, 1710. Preliminary overtures were made that early. There is a slight suggestion of them even in August, and certainly in October (C. P. A. (Paris), 230, ff. 307, 316, 417-41, *passim*; *ibid.*, 231, ff. 154, 161; 232, f. 101). Cf. S. P. D., Anne, B. 13, f. 89.

⁵³ Third French Memo., C. P. A. (Paris), 232, ff. 122-129; Baschet Tr. (P. R. O.), 197, f. 330. See also Seeley Papers (Camb. Univ. Library), Add. MSS., 4263.

⁵⁴ C. P. A. (Paris), 235, f. 311; Parke, *op. cit.*, I. 18; Torcy, *Mémoires* (La Hague, 1756), III. 76-80. Gaultier had already suggested to Torcy that Jersey should be pensioned for services he might be able to render (C. P. A. (Paris), 232, f. 10). Harley later tried to exclude St. John from the negotiations (Baschet Tr., 197, f. 349).

expedition proceeded apace, as spies and diplomats looked on and ventured conjectures as to the purpose of each.

Meanwhile, absolute secrecy was observed, which was especially necessary with reference to the expedition. St. John was distressed for a season by the activity of French squadrons in the South Sea; not that French conquests in that area would immediately embarrass his expedition, but because he realized the interrelation of Canada, the mainland colonies and the Caribbean. The moment, moreover, the tories decided to emphasize the Spanish phase of the war, the South Sea area loomed big on the horizon. Anne's speech, opening parliament (the work of Harley or St. John), indicated this, in which she said:

The carrying on the war in all its parts, but particularly in Spain, with the utmost vigor, is the likeliest means, with God's blessing, to secure a safe and honourable peace for us and our allies.

She then went on to foreshadow the South Sea Company, saying:

I cannot without great concern mention to you that the Navy and other offices are burdened with heavy debts, which so far effect the public service, that I most earnestly desire you to find some way to answer these demands.⁵⁵

Some apologists for the famous Godolphin ministry explain this policy only as a political move of the tories to worry Marlborough and the whigs, but may it not have been due to a vision, first conceived by Raleigh, and first successfully applied by Chatham, to bring into the Anglo-French contest the New World to redeem the balance of the old? "L'interest, ni les veues de ce royaume [England] ne sont pas de s'agrandir en Europe," wrote Bonet, "mais bien en Amerique pour 'etendre son Commerce et sa Marine."⁵⁶ St.

⁵⁵ *Py. Hist.*, VI. 928-31; Bonet's dispatch, July 13/24, 1711, G. S. A. (Berlin), Rep. XI. B. 39. The Lords and Commons concurred so far as it referred to Spain (see Corbett, *op. cit.*, II. 460).

⁵⁶ August 31, 1711, G. S. A. (Berlin), Rep. XI. 73, Conv. 37.

John knew that the whigs had failed to stop the steady flow of bullion into France and realized the vital necessity of cutting off the Plate fleet which transported the wealth of the Indies to Louis XIV., who used it to carry on a war, which might in the end gain those much coveted mines for the powerful Bourbon dynasty.⁵⁷ Harley, too, saw clearly the possibility of waging war by utilizing the profits of the South Sea trade.⁵⁸ With the double purpose, perhaps, of annoying the whigs and speeding up the war in the peninsula, the house of commons at the beginning of the session asked Anne to have laid before it the state of the army in British pay in Spain before and after Almanza (1707). The queen at the same time, however, was compelled to inform parliament of the double disaster to the allied forces in Spain. Under severe pressure from the Peninsula, two Canadian expeditions had already been abandoned, but never was the situation there so critical, and the demand for assistance so urgent as now. Yet St. John did not stop Walker. Was it because he saw so clearly the interdependence of Canada, the Caribbean, and the Mediterranean, and that the conquest of Canada would make that of the West Indies all the easier? Did the British ministry sense the superlative importance of gaining the South Sea trade?

Foreign representatives and spies meanwhile speculated upon the meaning of the recall of the troops from Flanders, and much confusion arose as to the objective of the expedition, but in general, they suspected that it would go to America, and probably against Mexico, Cuba, or some of the West Indies. L'Hermitage, the Dutch secretary in London, sug-

⁵⁷ Parke, *op. cit.*, I. 23. Boyer reported (*Annals*, IX. 410) in March, 1710 a "Spanish flotilla, consisting of nine galleons and two men of war, arrived at Cadiz, from the West Indies, laden with gold, silver and rich merchandise", which L'Hermitage estimated at "dix million d'ecus". Add. MSS. 17,677DDD, f. 434.

⁵⁸ Bonet clearly stated that this conception was peculiarly Harley's own (September 4, 1711, G. S. A., Berlin, Rep. XI, 73, Conv. 37). "Bolingbroke did not so much anticipate Chatham as carry out the perpetual Tory policy of war by sea power" (M. Woods, *History of Tory Party*, London, 1924, p. 134).

gested a connection between the expedition and Harley's company:

Et qu'on aura pris quelque post du nord de l'Amerique, il se pourra faire quelque pre-paratifs de ce coste la pour venir dans la mer du Sud, afin faciliter la qu'on a dessein d'y etablir en erigeant une compagnie.

One of St. John's secret agents advised that "qu'on eust envoyé a Buenos Ayres l'escadre qu'on envoyé a Quebec", and Swift noted that while Hill's expedition remained a secret, it was suspected "in Holland and Germany to be intended against Peru".⁵⁹

Entirely unknown to the Dutch, Louis XIV. had weeks earlier made tentative peace proposals to England. Article I gave England certain guarantees for carrying on commerce in Spain, the Indies, and the Mediterranean.⁶⁰ Thoroughly awake to its importance, the English ministers immediately demanded that Louis should explain these guarantees at once. This was the only article they wished explained, and the only part of it upon which Louis refused to be explicit was that part referring to freedom of trade with Spanish America.⁶¹

L'Hermitage, early in May, again noted that since Harley had explained the proposals for his company, it was generally believed that Hill had gone to America to insure that commerce and help in establishing the company. A few days later he wrote:

⁵⁹ Rawlinson MSS. (Bodleian), C, 392, f. 197; Brit. Mus., Add. MSS., 17,677 EEE, f. 213; C. P. A. (Paris), 232, f. 108; *ibid.*, 235, f. 114. St. John seriously attempted to mislead the enemy (Parke, *op. cit.*, I. 66).

⁶⁰ "Que les Anglois auront des sûretés reelles pour exercer désormais leur commerce en Espagne, aux Indes, et dans les ports de la Méditerranée" (Parke, *op. cit.*, I. 106). The English demanded "sûreté des commerce de cette nation" (Torcy, *Mémoires*, III. 33).

⁶¹ Parke, *op. cit.*, I. 109. See also *Jour. de Torcy*, pp. 447-454; C. P. A. (Paris), 233, *passim*. England asked besides Gibraltar and Port Mahon, for four treaty ports in North and South America as security for its commerce (Gaultier to Torcy, May 8-15, 1711). See also C. P. A. (Paris), 252; Baschet Tr., 197.

mais on ne fait pas presentement difficulte de dire que cette expedition regarde etablisement qu'on veut faire faciliter le commerce de la mer du sud.

As late as June, the observant secretary believed that Hill might have gone to capture Porto Bello, and rumor had it at the close of the month, that an expedition would be sent to seize a place in the Indies. Another contemporary wrote:

So much has been said against expeditions to the *Spanish West-Indies*, that they would not pretend to send any Armament thither: but fitted out a strong Squadron of Ships of War, with a good number of Transports, having several Regiments on board, to annoy the *French Plantations* in North America. . . . And they were in hopes by this Means, not only to raise the Credit of their newly erected Company; but if they should succeed, that it would enable them to treat with France upon their own Bottom, so as to obtain good Terms, which they were sensible was their interest.⁶²

The South Sea project was a favorite one with both St. John and Harley. Anne's secret instructions to Admiral Sir James Wishart, furthermore, proposed to the Dutch

an enterprise which may in all probability, redound to the greatest advantage of our kingdom, of their state, and its common cause. You . . . are to set forth . . . how much this South Sea trade increases annually.

Even Prince Eugene, the able Austrian general, probably with the backing of his imperial master, favored a proposal made by Archduke Charles, that the maritime powers should strike at the Spanish West Indies and prevent France "drawing yearly so great a treasure".⁶³

The conception of a South Sea Company rested fundamentally upon the wealth to be secured particularly from the mines of Peru and Mexico. The tory idea, according to a contemporary historian, was

⁶² Gibson, *op. cit.*, pp. 117; Brit. Mus., Add. MSS., 17677EEE, ff. 225, 228, 248.

⁶³ Parke, *op. cit.*, I. 7, 25; Luttrell, *op. cit.*, VI. 658; *Portland MSS.*, IV. 637.

that the only way to bring the War to a right issue, and to weaken the Power of France and Spain, would be by sending a strong Armament to make Conquests in the *Spanish West-Indies*; that being the main source from whence the *French* king drew his supplies.⁶⁴

Throughout the summer of 1711, the Walker expedition assuredly was in the minds of many acute observers closely connected with the launching of the South Sea Company. This would in itself, perhaps, indicate some definite relationship, had it not been to the interest of the ministry to confuse diplomats and spies, although it must be confessed that certain ministers were as much in the dark as many of the foreign representatives.

By the middle of June, at any rate, the Dutch were talking of dispatching a force against Mexico. L'Hermitage wrote that nothing had been overlooked in establishing the South Sea Company. It was favored, he said, by an expedition, which some thought had gone to Porto Bello; troops were also to pass by land to Panama, to assure two places there, which would greatly facilitate commerce, and interrupt so much the trade of the Spaniards, that in two years England would be receiving the silver of this country, and Spain would be obliged to find another route. By the end of the month rumor was persistent that an English fleet would leave in September to seize places in the South Sea.⁶⁵ Being ignorant of Hill's objective, it may be assumed that the Dutch planned an independent competitive venture, as they probably suspected that he was bound for the Indies. Early in July, L'Hermitage heard that English warships and privateers had taken Carthagená. Only two days later, Swift, a confidant of both Harley and St. John, wrote that Hill's expedition was

⁶⁴ Gibson, *op. cit.*, p. 116. See also Brit. Mus., Add. MSS., 17677EEE, ff. 193. 199, 219; C. P. A. (Paris), 232, f. 205; *Py. Hist.*, VI. 1022. L'Hermitage reported that two Bristol vessels had returned from the South Sea "fort richement chargez", which he thought would stimulate the organization of the company (Brit. Mus., Add. MSS., 17677EEE, f. 225). This indicates, perhaps, an interest in what later became known as the "triangular" trade.

⁶⁵ *Portland MSS.*, V. 9; Brit. Mus., Add. MSS., 17677EEE, ff. 228, 248.

"said to be towards the South Seas, but nothing is known".⁶⁶ Information from London relative to South Sea stock ran that

s'en vendit a 88, et on espere que si notre escadre peut faire quelque progres sur les Espagnols en quelque porte de l'Amerique que ce soit, qui cela encouragera beaucoup de commerce, et fera augmenter le prix des Actoons, ce qui fait encore qu'on a grande esperance que cette enterprise reussira, c'est, que le Comte d'Oxford . . . travaille avec beaucoup d'attention pour l'etablissement de cette Compagnie.⁶⁷

The Dutch also heard the rumor that eight regiments were to go from Flanders to take possession of the area in the Caribbean to be ceded by the peace treaty.⁶⁸ A French spy in London was certain that twenty-two warships would leave in October to join those in America, and pass to the South Sea. In July, the Dutch favored making a settlement on the Spanish Main and before the middle of August, Heinsius said openly that they would have a new trading company there, and England need not be jealous.⁶⁹ The French likewise feared Hill was going to America, and the draft of the peace preliminaries, drawn in April, provided that each nation should retain what it held at the signature of the definitive peace.⁷⁰ Louis XIV. was also much concerned about the West Indies, and talked of sending fleets to that area.⁷¹ He had, meanwhile, thoroughly fortified Havana and Carthagen. At

⁶⁶ F. E. Ball, *Corr. of Jonathan Swift* (London, 1910), I. 266; Brit. Mus., Add. MSS., 17677EEE, f. 261; *Conduct of the Allies*, p. 80. Not until July 21 was Swift certain that Hill had gone to Quebec (Ball, *op. cit.*, p. 277).

⁶⁷ July 3, 1711, C. P. A. (Paris), 235, f. 304.

⁶⁸ Brit. Mus., Add. MSS., 17677EEE, f. 325^b.

⁶⁹ C. P. A. (Paris), 233, ff. 138-9; *Portland MSS.*, V. 28, 69.

⁷⁰ Torcy, *Mémoires*, III. 45-60. See Pecquet's Report, C. P. A. (Paris), 233, ff. 75-82; *Annals*, IX. 2, 11, 25, 27.

⁷¹ C. P. A. (Paris), 235, f. 302. Du Casse was reported in the West Indies with eight warships, one of 74 guns. S. P. D., Anne, B. 14, f. 47; *Cal. St. Pap., Col., 1710-1711*, p. 522. See also *ibid.*, 1711-1712, p. 113. St. John feared an attack on Walker, but he felt safe once the expedition started (Parke, I. 3, 116, 135, 142).

least seven warships were active there in the spring of 1711, and Trouin captured Rio Janeiro early in the summer.⁷²

Was there any intentional unity in the plans of Harley and St. John relative to Canada and the South Sea? It seems probable, and were we not aware of their personal rivalry, it would appear highly probable. St. John, however, may not have known of Harley's project until shortly before it was presented to Parliament. On the other hand, Harley knew of the projected attack on Canada from the outset, and never appeared enthusiastic about it, partly perhaps, because of the corruption connected with it.⁷³ Ministers and diplomats coupled the two projects together. Whether they were actually and intentionally so in the minds of Harley and St. John, we cannot say with confidence. If, however, the two were planned together, the importance of the unfortunate Canadian expedition, as part of a great imperial project has been underestimated. In any case it is clear that Harley as well as St. John, in these two imperial projects, anticipated Chatham by half a century.

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⁷² Rawlinson MSS. (Bodl.), C, 392, f. 182; C. P. A. (Paris), 232, f. 120^b.

⁷³ G. S. A. (Berlin), Rep. XI. 73, Conv. 39; *Portland MSS.*, V. 464; *Cal. St. Pap., Col.*, 1710-1711, p. 405.

THE ASIENTO TREATY AS REFLECTED IN THE PAPERS OF LORD SHELBURNE¹

[Paper read at the meeting of the American Historical Association,
December, 1927.]

"The Minister at Madrid may give what orders he pleases and the Commerce at Seville may take their own Measures, but still a people who want goods will find out wayes for a supply and the advantage of this trade is now chiefly enjoyed by the Spanish. Buyers who have a proffitt adequate to the Risque they Run".² This cynical comment of the agents of the South Sea Company at Kingston, Jamaica, in the year 1736, epitomizes the situation in which Spain found itself due to the intrinsic irreconcilability of its absolute colonial monopoly and the grant of restricted trading privileges to that Company under the Asiento Treaty. This treaty, the Treaty of Utrecht, subsidiary treaties of 14 December, 1715, and 26 May, 1716, and the Treaty of Madrid of June, 1721, assigned the English Asiento, or South Sea Company, the exclusive right to import slaves into Spanish colonies up to 4,800 annually, with the added privilege of bringing back the "fruits" of their sales in goods, bullion, and coin, the king of Spain to receive a fourth of the profits and five per cent of the balance of the gain. A further commercial advantage was the annual ship, originally of five hundred tons burden, later of six hundred and fifty tons, in which English goods could be brought for sale at the annual fairs in Spanish America and Spanish

¹ For a description of this exceedingly valuable collection, now housed in the William L. Clements Library of the University of Michigan, see, C. W. Alvord, *The Shelburne Manuscripts in America*, in *Bulletin of the Institute of Historical Research*, I. 77-81; Lord Fitzmaurice, *Life of William Earl of Shelburne* (London, 1912); Historical Manuscripts Commission, *Appendix to Third Report*, pp. 125-147; *Appendix to Fifth Report*, pp. 215-261; *Appendix to Sixth Report*, pp. 235-243. Dr. R. G. Adams, the Custodian of the William L. Clements Library, is directing the preparation of an adequate calendar of these papers, of which the first volumes will appear in the near future.

² Shelburne MSS., Letter of John Merewether and Edward Manning, Factors in Jamaica, to Peter Burrell, Kingston, January 6, 1736, O. S.

goods could be shipped out in exchange. The right to station not more than four English factors in any one port in America was conceded with this privilege.³ The danger of the situation created by these treaties lay in the fact that the South Sea Company would and did abuse the Asiento and that other Englishmen, as private or illicit traders, also entered the new commercial field to the detriment of Spain's monopoly and the injury of Spanish merchants. Retaliation by undue exercise of the right of search, seizure of English vessels on the slightest evidence of contraband activities, imprisonment of Englishmen captured by Spanish *guarda costas*, strewing the path of the Company's trade with vexatious delays, and by reprisals for Spanish losses on the property of the Company, made the business unpleasant at times but by no means checked it. Exclusive monopoly on one side and grudgingly bestowed privilege to circumvent that monopoly on the other, made the relations between the two nations difficult and in the end led to open war in 1739, England's first trade war.⁴

All of the foregoing is familiar to historians. What is lacking are details concerning the actual conduct of the trade, of the strategy of the Company viewed from the inner circle at the center, not from some isolated factory or from the restricted opinion and experience of lesser servants of the South Sea Company. Among other questions about the Company we should like to find reliable information on its slave trade under the Asiento, the true figures for its other trade both legal and illicit, the inside story of its finance, its relations with Spain, and its rôle in the diplomacy leading up to war in 1739. Significant contributions toward answering these queries have been made, since Archdeacon Coxe wrote

³ Basil Williams, "The Foreign Policy of England Under Walpole", in *English Historical Review*, XV. 271-274.

⁴ H. W. V. Temperley, "The Causes of the War of Jenkins' Ear", in *Royal Historical Society Transactions*, third series, III. 197.

his classic accounts,⁵ by a number of writers, the most recent of note being Vera Lee Brown.⁶ The "Assiento Papers" of the Shelburne MSS. seem to furnish new and conclusive evidence on all of these problems and to make possible something approaching a definitive study of the South Sea Company's last years.

Volumes forty-three and forty-four of the Shelburne Manuscripts constitute the private and official papers of Peter Burrell secretary and sub-governor of the South Sea Company,⁷ and contain the materials from which answers to the questions above may be derived for the last phase of the Asiento Company's history before the War of Jenkins' Ear. They relate primarily to the important period of the organization's activities in the years between the second reprisal of 1727 and the revocation of the Asiento Treaty in 1739. They consist of the jealously guarded financial accounts of the Company, detailed ship and factory reports of the Asiento slave trade to Spanish America, statements of the annual and the permissions ships, lists of goods imported into and exported from his Catholic Majesty's colonies, both legally and illicitly, a comprehensive body of confidential letters from factors and agents scattered from Havana to Buenos Aires, and the European correspondence of the sub-governor.

In England, the South Sea Company is shown as organized with a governor (the king of England, an honorary position but with suitable emoluments), a sub-governor who is

⁵ William Coxe, *Memoirs of the Kings of Spain of the House of Bourbon* (London, 1813); *Memoirs of the Life and Administration of Sir Robert Walpole* (London, 1798).

⁶ Vera Lee Brown, "The South Sea Company and Contraband Trade", in *American Historical Review*, XXXI. 662-679; H. W. V. Temperley, "The Causes of the War of Jenkins' Ear, 1739," in *Royal Historical Society Transactions*, third series, III. 197-237 (London, 1889); "Relations of England with Spanish America, 1720-1744", in *Annual Report of the American Historical Association* (1911), I. 231-238; Basil Williams, "The Foreign Policy of England Under Walpole", in *English Historical Review*, XV. 251-277, 479-495, 665-696; XVI. 67-84, 303-328, 439-452 (London, 1900, 1901).

⁷ The writer has no additional information on this personage up to the present.

the real director of affairs (Sir Richard Hopkins and Peter Burrell fill this office in the period under discussion), a deputy governor, a secretary, a stock transfer office under a chief clerk, an accountant attached to a committee of accounts, a court of directors nominally over all the Company's concerns, the majority of the members of which are active in parliament, a larger body only called together in times of emergency called the general court, and a committee of correspondence.⁸ Spain was officially represented at all meetings of the court of directors by Sir Thomas Geraldino who was also the Spanish ambassador. For these services he was paid a director's salary by the Company of 11,500 Spanish dollars a year.⁹ If it were the intention of the Spanish court to have a friend in the enemy's camp, it was deceived as nothing but routine matters were placed before the court in Geraldino's presence. The real center of the Asiento regulation, where the secrets of the Company were laid bare, was the sub-governor's office. There, Peter Burrell and his coterie made the important decisions as to policy and read the confidential despatches of the Company's agents. As Peter Burrell put the matter in a letter to Sir Benjamin Keene, the Company's representative in Spain as well as British ambassador,

. . . I shall be extremely pleased wth any intelligence for the Company's service it may not be so proper to be exposed to the knowledge of Sr Thomas Geraldino . . . [as] all letters are read in Court where he is always present . . . [but] . . . you may write to me without reserve.¹⁰

Overseas, regular factories are mirrored in all the vicissitudes of their affairs at Santiago and Havana, Cuba; Vera Cruz, Campeche, Porto Bello, Panamá, Caracas, and Buenos Aires. Additional factories are projected in Guatemala and at Río Hacha, where a lucrative trade is already in progress.

⁸ *Shelburne MSS.*, XLIII. p. 9.

⁹ *Ibid.*, XLIV. pp. 63-91 contain the correspondence between Peter Burrell and Sir Thomas Geraldino (Fitzgerald) relative to the payment of this salary.

¹⁰ *Shelburne MSS.*, XLIV. 158, 159.

Agents and special missions report activities in Mexico City, Lima, Arequipa, Potosí in upper Peru, and remote Santiago in Chile. Jamaica and Barbados are the bases to which slaves and goods are brought for distribution in fast snows and sloops to the factory ports. A transcontinental commerce of negroes and goods by overland convoys from Buenos Aires to Peru and Chile is detailed with as many as four hundred negroes making the journey in one escorted caravan.¹¹

The Asiento trade was additionally protected in theory by the hiring of Spanish officials to act as judges conservators, to sit in all cases involving the Company and Spaniards, and interventors in the factories to see that all treaty obligations were observed. In practice these officials were usually quite severe with the Company. For example, the Company complained quite bitterly that the governor of Cuba, despite the salary paid him as judge conservator, was guilty of outrageous injustice against the Company forcing it to pay the costs of Spanish vessels seized by the English and the French as pirates.¹² Spanish legal aid was hired throughout the Americas to collect debts owed the Company. At Cadiz an agent handled the trade of the Company to Spain, where, it is interesting to note, the principle of a continuous voyage was enforced and Company vessels were obliged to sail from Spanish American ports to Cadiz with no stop at any foreign port.¹³ The Company was not above bribery to achieve its ends and enjoyed some success in this direction. As the factor at Havana put the case in justifying the practice,

¹¹ John Cox to Peter Burrell, Buenos Aires, 28 September, 1731, in Shelburne MSS. XLIV. 395-397. This letter from the junior factor at Buenos Aires shows that the Negroes were taken in carts and that eleven died of the cold in their journey to Potosí. Another lot of 285 negroes to Potosí is mentioned in *Ibid.*, pp. 411-413.

¹² *Shelburne MSS.*, XLIII. 221-225.

¹³ The ship *Rochester* was refused admission at Cadiz due to having touched England. The Spanish officials declared that the Asiento only allowed returns on Negro sales "from the Spanish West Indies to Spain and not from any other place. . . ." *Shelburne MSS.*, XLIII. p. 193.

. . . such as many Lawsuits which thereby terminated in our favour, especially on confiscated Negros, other Negros imported with the small Pox excus'd Quarentine, Protection against the dangerous intrusion of the Ministers of the Inquisition, Suppression of the Indult Op'ned at St. Jago de Cuba and Puerto de el Principe . . .

and again

. . . if your Hon^{rs} will please to reflect, that not only among the Spaniards, but in all other colonies in the Indies, how important it is for Strangers to support a friendly and obliging correspondence with people in Power whereby to facilitate the good Exit of their concerns. . . .¹⁴

In Spain itself higher officials were not immune to this insidious approach. We find one R—— S—— sent to Spain to buy support in February, 1730, and the committee of correspondence records the need of an approach in Madrid in May; and in June of that year, instructions “. . . to make private overtures to such Minister of Spain as may be inclinable to favour Y^e Comp. . . .” are issued.¹⁵ Patiño is mentioned as a man of “exact Houn^r”, but Keene is instructed to draw separately on his brother Joseph Eyles, without entering anything on the Company's books, in Patiño's favour,¹⁶ so that affairs of the organization could be settled with him directly.

The Negro slave trade of the South Sea Company is depicted with a great wealth of detail. Slave ships are shown bringing their commodity for sale to the Company agents at Jamaica and Barbados or direct to the factory at Buenos Aires. From these depots they were shipped to the factories as the factors reported a demand.¹⁷ Long lists of Company

¹⁴ Shelburne MSS., XLIII. 155-157.

¹⁵ *Ibid.*, pp. 385-394.

¹⁶ *Ibid.*, pp. 394-395.

¹⁷ John Merewether the agent at Kingston, Jamaica, writes in 1737, “The Masters who have used the African trade, purchase as many slaves as they possibly can, proper for the Comp^y. The ships from Angola and Calabar bring in three assortments of negroes,—the first for us, the second for the planters, and

vessels with dates of arrival and departure and descriptions of cargo contents in both directions, indicate the magnitude of the business. A typical port is Havana, where, from 25 July, 1730, to 24 August, 1731, twenty-six vessels arrived with 1,549 Negroes and departed with money and cargo worth £87,131,5s, the latter being taken for sale to Curaçao, Carolina, Jamaica, and Philadelphia.¹⁸ A general view of the slave trade for a year based on the sub-governor's calculations, exclusive of the Buenos Aires factory, indicates an importation of 4,560 Negroes, 1,500 for Porto Bello and Panamá, 800 to Cartagena, 600 to Havana, 200 to Santiago, 300 to Trinidad, 500 to Caracas, 200 to Vera Cruz, 160 to Santo Domingo, and 300 to Come Agua and Guatemala. The return cargoes consist of gold bullion, pieces of eight, cocoa, snuff, tobacco, sarsaparilla, balsam, sugar, hides, tallow, cochineal, indigo, and dyewood.¹⁹ These goods were sold or exchanged at other ports in Spanish or English America or were taken to Europe. Snuff, for example, was shipped in such quantities to the London, Hamburg, and Holland markets that, in 1732, prices at Amsterdam fell from seven to nine pence a pound to an even four pence.²⁰ The profits of the trade were enormous. At Jamaica, 4,500 slaves could be purchased at 100 pesos each, and all other costs, including the king of Spain's share, would leave the Company a neat balance of 239,145 pesos profit.²¹ To this we must add the profits realized on goods accepted in lieu of cash when the slaves were sold. Nor was this all, for there was the annual ship and numerous permission ships, in the sale of whose goods a profit of twenty-five per cent was regarded as ruin-

the third for the illicit traders. The Goldcoast ships Import Negroes for us, and the planters. They are too dear for the traders.' Shelburne MSS., XLIV. 817-821.

¹⁸ Shelburne MSS., XLIV. 911-913.

¹⁹ *Ibid.*, XLIII. 246.

²⁰ *Ibid.*, pp. 165-172.

²¹ *Ibid.*, pp. 144, 145.

ous.²² The illicit commerce of the Company afforded another source of revenue, worthy of more extended treatment.

Under the cover of the right to import foodstuffs and goods for the support of its factories both the South Sea Company and its factors introduced illicit goods into Spanish America. "The factors were never denied what they wrote for their own use or to oblige some top Spaniards" writes John Merewether the factor at Kingston, Jamaica. The only sin in the eyes of the Company, he continued, was to get caught; as he told one of his ship masters, "Take care of embarrassments you know the consequence for you can have no favour from us" and he modestly remarks that he is only interested in 150 barrels of illicit flour.²³ The Company, factors, agents, shipmasters, and members of crews all had their interest in every voyage.²⁴ Even Negroes were introduced illicitly by the Company and we are not surprised to find the factor at Santiago, Cuba, forced to draw \$1,500.00 on the Havana factor to pay duty on Negroes whom he was caught introducing by extra-legal methods, in order to save his factory from seizure.²⁵ As to method, John Merewether, the factor in Jamaica, remarks significantly that "The Jews with us know very well how to land goods at our wharfs in the night time, without any notice being taken of them" and further "that when persons bred up in the Compys service could not carry on the illicit trade with success That no blame was to be imputed to the Agents."²⁶ The trade did

²² Peter Burrell to Benjamin Keene, London, 16 September, 1713, writes that cargoes were sold at that rate of profit in silver and comments, "I fear Patiño will be angry at our selling at this rate wch must ruin the galleonists and totally discourage the Spanish commerce". Shelburne MSS., XLIII. 397.

²³ John Merewether to Peter Burrell, Jamaica, 25 January, 1736, Shelburne MSS., XLIV. 861-865.

²⁴ James Houston to Peter Burrell, Jamaica 19 June, 1739, in Shelburne MSS., XLIV. 699-703. Houston alleges that the Company's agents have thousands of pounds sterling of goods stored up for trade on their own account. Numerous other citations to the same effect could be given on this point.

²⁵ Shelburne MSS., XLIV. 315-317.

²⁶ *Ibid.*, pp. 813-817, 821-825.

not stop with importing illicit goods. Illicit goods were also exported from Spanish America in large quantities. An example is afforded by the hide trade of Buenos Aires, where, in 1733, out of a total of 380,818 hides shipped out, 184,505 were illegal.²⁷ Private traders hastened to imitate and even to outdo the Company. From England, chiefly from the port of Bristol, from Jamaica, the mainland colonies (with New England well represented), and from the lesser Antilles they swarmed along the Spanish American coast. The keys off Cuba were a favorite haunt of these trade buccaneers and their activities were so audacious that the Spanish government was forced into action against them. The Windward Island fleet was sent cruising after them and *guarda costas* were multiplied. An effective method employed was the commissioning of Spanish privateers to capture illicit traders. The Company did not object to private trading as such, but resented the fact that the Spaniards were forced to take steps against this and that its own game was imperilled by the popular clamor that this occasioned in England. Even British warships entered into the game, carrying illicit goods themselves and escorting the sloops of private traders.²⁸ The Company read the handwriting on the wall and saw that Spain's legitimate irritation would lead to war and the end of its profitable commerce. Proof of the magnitude of the business thus jeopardized is contained in the annual financial statements which show an average balance of £600,000 in the period immediately prior to 1739. A good part of this, in addition, is shown to be outstanding in debts owed the Company under its credit sales system. In the end, it is true, the Company did show operation losses; but a considerable portion of these losses is clearly shown as attributable to excessive dividend declarations as well as to unpaid claims growing out of Spanish seizures. Indeed, in a number of instances it

²⁷ *Ibid.*, XLIII. 317-323.

²⁸ *Ibid.*, XLIV. 817-821.

is indicated that the Company carried reprisal insurance.²⁹

This is not the place for a discussion of the diplomacy which led up to the War in 1739, but the series of fourteen confidential letters from Sir Benjamin Keene to Peter Burrell in the critical period after 1736, will certainly be of interest to the student of diplomacy.³⁰ In lively, even mordant, language they outline the entire Spanish situation in masterly fashion. Suffice it to say, that, although the Company had claims and grievances against Spain, it did not desire war. Affirmation of the Asiento Company's responsibility for the provocation of war is made at least dubious by reiterated assertions of the hope that peace would prevail and that the ministry would be firm despite the popular "clamour" in England. Refusal to pay the king of Spain £68,000 due him, which led directly to the cancellation of the Asiento and to war, is partially justified by his refusal to accept any reduction in that amount as satisfaction of the Company's claims against him. The sub-governor of the Company was prepared to pay £60,000 if the differences between the Company and the court of Spain could be settled.³¹ Other causes for war were constantly present, namely the colony of Georgia, "a great Eyesore being in the neighborhood of St. Augustine",³² and the logwood cutters of Campeche. Reports of an impending attack on Georgia from Havana find place in the letters of the factors from as early as 6 January, 1736;³³ and an account of the attack that reached St. Augustine in 1738, only to be recalled, is available in the Company's records.³⁴ Indeed, Georgia and South Carolina are treated as outposts of the trade area centering on Jamaica; and even New York, in this period, was closer to Kingston than Bar-

²⁹ *Ibid.*, XLIII. 261; and "Calculates" in both volumes XLIII. and XLIV.

³⁰ *Ibid.*, XLIV. 165-205.

³¹ Peter Burrell to the Duke of Newcastle, *Ibid.*, pp. 57-61.

³² *Ibid.*, pp. 947-949.

³³ John Merewether and Edward Manning to Peter Burrell, Jamaica, 6 January, 1736, Shelburne MSS., XLIV. 867-873. News of this was sent to Carolina.

³⁴ Shelburne MSS., XLIII. 215.

bados,³⁵ and flour from that port is frequently mentioned. The Company, noting the increased severity of Spain's attitude, the capture of numerous illicit traders, and the noisy uproar against Spain in England, prepared for war and reduced its effects that might be captured to a minimum. Even war failed to stop the commerce for the agent at Kingston, Jamaica, reports, 4 October, 1748, that "I have had the contract . . . during the War for the Supply of Negroes to Portobello, Carthagena and the Havana . . ." and that the latter place in about eighteen months took 3,700 slaves.³⁶

In concluding, it should be pointed out that Lord Shelburne significantly and properly initiates his American series of documents with the "Assiento Papers", as the great duel between Great Britain, France, and Spain, which, having its origin in the trade war of 1739, progressed through the Seven Year's War and the American Revolution to the break up of the Spanish Empire with the failure of intervention in 1823. The Marquis of Lansdowne appreciated the connection between the rejection of peace with Spain at that time and Spain's presence at the side of France in 1779. The records he collected strengthen the view that English commerce got its first large entry into the Spanish American field under the shadow of the Asiento and that the process continued after the outbreak of war in a flourishing illicit trade with its concomitant weakening of Spain's economic grip on its colonies.

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³⁵ "By New York is generally the quickest way we have of sending a letter to Barbados". John Merewether to Peter Burrell, Jamaica, 21 October, 1737, Shelburne MSS., XLIV. 813-817.

³⁶ Edward Manning to the Court of Directors, 4 October, 1748, Shelburne MSS., XLIV. 683-685.

CONTRABAND TRADE: A FACTOR IN THE DECLINE OF SPAIN'S EMPIRE IN AMERICA

[Paper read at the Hispanic American session of the conference of the American Historical Association, December, 1927.]

Drawing upon the experience of a long ministry, Florida-blanca in 1787, described Jamaica as a terrible hangnail—*un padraastro terrible*. He gave as his considered opinion for the guidance of a newly formed council of state that

any expense and trouble taken by Spain in watching Jamaica in time of peace or attempting to take possession of it in time of war would always be inferior to the importance of the matter to Spain.¹

Headquarters of the English war vessels, on whose support in the last analysis rested all English activities, in Central America, Jamaica was the source from which flowed the largest of the streams of illicit commerce that rolled over the shores of Spanish America, defying Spain's monopoly of the commerce of its colonial dominions and eventually weakening its political control of them.

In the early eighteenth century, from the granting of the *Assiento* to England in 1713 to the outbreak of war in 1739, English contraband trade entered Spanish America in two great streams; one followed the course of the South Sea Company's legitimate trade, the other representing the activities of the private traders, was a river of numerous tributaries.²

¹ *Instruccion Reservada* (chaps. 139 and 140), in *Obras Originales referentes a su persona*. Colección hecha e ilustrada por Don Antonio Ferrer del Río, Madrid, 1867. No. 59 in *Biblioteca de Autores Españoles*.

² The Spanish archives are naturally richer in materials for the study of contraband trade than are the English repositories. While the English government wished to remain in official ignorance of the contraband activities of its subjects the Spanish government was willing to pay well for circumstantial information which they realized would strengthen their position when accused by the English of unfairly obstructing a licensed trade and would help them to resist appeals for greater opportunities. Much of the material is from English sources, the English company having been particularly unfortunate in faithless servants. Material

Contraband trade was an integral part of every phase of the South Sea Company's operations.³ In the permission-ship, not only was every conceivable device of false measurements, excessive crowding, and supplementary vessels resorted to in order to increase the cargo space, but, according to the statement of the company's own secretary,⁴ no single licensed vessel went to the Indies that did not carry goods belonging to private individuals. Every employee of the company went as far in the business as his resources and credit would permit, carrying on trade, not only for himself, but, on a commission basis, for others. On the homeward journey the licensed vessels carried cargoes of silver, half of which, the company's servants united in declaring, went unregistered.⁵

from strictly Spanish sources is, however, also abundant, especially for the South Sea Company's operations, which were carried on in the largest of the Spanish American harbors and came more readily under official survey than the work of the private traders which went forward along the less frequented coasts.

³ Cf. author's article, *The South Sea Company and Contraband Trade, American Historical Review*, July, 1926.

⁴ Matthew Plowes, "*el secretario y contador principal que corre con los libros y asientos dela Compañia*", was sent to France in the summer of 1728 by the South Sea Company to assist the British plenipotentiaries at the Congress of Soissons with his expert knowledge of the company's affairs. For £60 paid down, the promise of Spanish protection, and an annual pension of 500 doblones he sold himself completely to the Spanish service, turning over to the Spanish ambassador a large number of important papers and preparing a sworn statement that was a résumé of his knowledge of the South Sea Company's illegal proceedings. The statement was signed March 28, 1729. Simancas, *Estado* 2370 (*Antig.* 7017). Correspondence concerning Plowes's papers between the Spanish plenipotentiary (Marquis de Barrenechea) and the Spanish government is in the same *legajo*.

⁵ John Utbar, second mate of the permission-ship, the *Royal George*, made a statement before a committee of the South Sea Company, June 7, 1727, in which he said that the treasure taken on by the vessel at Porto Bello on its last voyage had amounted to 386 chests, 55 cases, and 33 casks to which had been added, at Bastimientos by a sloop arriving from Porto Bello, an addition of 136 chests, 2 cases, and 1 cask. On the homeward journey, the ship was declared unfit for the trip and was taken to Antigua and condemned. There, according to Utbar, 3 large bags, each of a size to contain 200 or 300 pounds of silver were transferred from the permission-ship to the accompanying man-of-war. Utbar's statement was among the papers acquired by the Spanish government from Plowes. Sim., *Est.* 2370. See also statements by Plowes and Burnett in same *legajo*.

The company's negro packet-boats that plied constantly between Jamaica and the Spanish American harbors provided another channel for English goods. The Spaniards attempted to insure that these vessels should have no surplus space through regulations providing that the larger packets should never carry fewer negroes than four to every five tons, that the smaller boats should take one negro to every two tons and that all should carry certificates of provisions. Nevertheless the illicit trade in this type of vessel was very considerable.⁶ John Burnett,⁷ a factor of the company, stationed for years in Porto Bello and Cartagena, declared in a sworn statement made for the Spanish government in 1728, that there was not a mariner of a packet-boat who did not carry a commission to the value of two thousand or three thousand pesos from some Jamaican Jew on every one of the four or five trips made annually by such boats. He added that the English factors in the ports made a practice of sending to Jamaica by these vessels for whatever they or their friends wanted or could dispose of. So smoothly did the financial arrangements with the Spanish officials work that only once during Burnett's stay of three years at Cartagena was a packet-boat seized and searched. The private traders, licensed for a time by the company to introduce negroes into the smaller Spanish American harbors, provided still another avenue for the entrance of contraband goods, and one so productive of results that the Spaniards insisted on the withdrawal of the licenses.⁸

⁶ Sim., *Est.* 7006. Among the papers of Thomas Geraldino, Spanish representative in London, is a copy of a Special Certificate for *The Eagle*—"300 tons from Jamaica to Campeche with 150 Negroes, 8 Nov. 1734"—with the terms attached of an agreement between Geraldino and the directors of the Royal *Asiento* Company.

⁷ Dr. John Burnett accompanied Plowes to Paris and has practically the same relations with the Spanish government as the company's secretary, though neither knew of the other's treachery. Burnett's statement was signed February 3, 1729. The Burnett papers are in the same *legajo* as the Plowes documents. Sim., *Est.* 2370.

⁸ Sim., *Est.* 2370. Burnett, *Sobre Comercio Ilicito*.

Reviewing the situation in a paper addressed to the French ambassador in Madrid in 1728, the Spanish government declared that one English company controlled one-third of all the illicit trade then finding its way into America.⁹

Through the thirties every kind of suggestion of remedy for the evils associated with the Assiento poured in upon the Spanish government. The provocation was quite great enough, thought some observers, to warrant a simple resumption by the king of Assiento rights without compensation to the company, others thought that the privileges should be bought back and still others believed that the company should be forced to accept equivalent space in the *flota* as a substitute for the permission-ship. As the English company would entertain no suggestion of change, the thirties were filled with obstruction to trade, complaints of both parties and futile commissions of investigation until mutual irritation reached the point of war with the last year of the decade.

For the war of 1739 the private traders, operating out of Jamaica, had their full share of responsibility though evidence of the extent and nature of their activities is difficult to obtain. In the archives at Simancas there is a document belonging to the year 1719 that is of considerable interest in this connection. It presents an account by a Spanish eyewitness, who possessed both nautical knowledge and local experience, of the Jamaican trade during a suspension of the Assiento when commercial relations with the Spanish shore would, of course, be wholly contraband. The document is a diary that was kept by Don Antonio de Cortayre, captain of the ship, *La Candelaria* and later governor of Yucatan, who was shipwrecked off the Jamaican coast in December, 1718, while sailing from La Guayra to Vera Cruz with a cargo of cacao. Though war between England and Spain was not to be formally declared until the following March, hostilities had already commenced and within a few days of arrival in

⁹ Sim., *Est.* 7614. "Copia del Papel dado al Minro de Francia sobre el Navio Federico y algunas infracciones cometidas por Ingleses."

Port Royal Cortayre found himself in prison. He was detained, though not in close confinement, until the following September when he was carried on a trading expedition to Southern Cuba and there set at liberty. Throughout his stay in the English island, Cortayre improved his opportunity by recording in a daily journal the number, destination, and in many cases, the cargo of the vessels entering and leaving the harbor of Port Royal. Later, from Yucatan, he sent a copy of the diary¹⁰ with a covering letter to his Catholic Majesty.¹¹

The movements of some 393 vessels are reported in Cortayre's diary. Of these 201 are mentioned as engaged in trade with specific points on the Spanish shores. For 13 others Curaçao is given as the point of sailing or destination, and 58 ships are merely spoken of as going to or coming from "the sea". Probably all the Curaçao boats and a high percentage of "the sea" vessels should be credited to the Spanish trade. One hundred and forty-three ships, or more than two-thirds of the total, were in traffic with Cuba, the majority of them engaged in contraband operations along the southern shore for which the port of El Principe formed a center. The cargo of the vessels for Cuba is invariably described as "*Negros y ropa*". The extent of the operations is indicated in the report that one vessel sold 40,000 pesos' worth of goods in four weeks while the fleet of six trading vessels and a frigate that took Cortayre to Cuba carried 80,000 pesos' worth of "*ropa*" and 340 negroes, and all this cargo was disposed of in fourteen days at Santa Cruz.

Of the 14 vessels mentioned as engaged in trade with the Porto Bello coast, two only were single vessels. The others traveled in two fleets made up of five trading vessels and one armed frigate each. One of the two single vessels, a warship, is reported as having sold goods to the value of 40,000 pesos,

¹⁰ Sim., *Est.* 7607, "Diario del Viaxe de la fregata nombrada 'la Candelaria' su capitan D. Antonio de Cortayre, para el puerto de la Vera-Cruz desde el de la Guayra de donde dió vela en 24 de Noviembre de 1718."

¹¹ *Ibid.*, Cortayre to H. C. M., Merida de Yucatan, August 18, 1721.

the other as having disposed of its cargo in ten weeks and returned to Jamaica with a load of *doblonos*. One of the fleets is mentioned as carrying on its outward journey goods valued at 200,000 pesos.

The fifteen boats reported as engaged in the logwood trade of the Gulf of Honduras are in two small fleets, the individual units of which carried only ten or twelve men each. Four other vessels are mentioned as trading along the southern shore of the Gulf of Honduras in the vicinity of Trujillo. The remaining two dozen vessels of definite affiliation belong to the trade of the Santa Marta-Cumaná coast where they load "*mulas y palo*" and occasionally Negroes and Indians for sale.

Unfortunately Cortayre makes no effort to arrive at any general conclusion as to the total value of the English goods being introduced under his eyes into Spanish America. Nor does he estimate the total number or value of the Negroes sold or give any indication of the profits being made by the contrabandists. The omission is a common failing in most of the papers of the period. Few observers were hardy enough to embark on actual figures for a trade whose life depended on secrecy and deception.

An exception to the usual caution is to be found in a pamphlet published in London in 1743 and entitled *A True and Impartial Account of the Rise and Progress of the South Sea Company*.¹² Its anonymous author describes himself as having "known Jamaica well both before and during two interruptions of the Assiento" and as having recently made "a strict inquiry from persons now alive who lived then and traded in Jamaica". In the pamphlet he draws a comparison in actual figures between the returns of the private trade and those of the South Sea Company. Adding £50,000 on account of private trade to the £250,000 shown by the company's books he arrives at £300,000 sterling as the usual value of a permission-ship's total cargo. The profits on this outlay, at

¹² The copy consulted is in the British Museum.

a modest calculation can be reckoned, he estimates, at one hundred per cent. Besides these returns the company would also have the profits from the Negro trade and from the "vast sums of money remitted to Old Spain "by the Company's vessels". The writer boldly affirms that the yearly returns from all the private trade taken together never amounted to £200,000. In explanation, he says that the private goods did not sell for more than one-half or one-third as much as the company's goods and that the unlicensed Negroes fetched only 100 to 150 pieces of eight, whereas the company's Negroes sold for 250 to 300 pieces of eight.

With the declaration of hostilities in 1739, English trade into Spanish America relapsed wholly into the hands of the private traders. The outbreak of war, closing the larger Spanish American harbors, was a signal for the smugglers to exert every effort to strengthen their foothold in less conspicuous places. While pursued wherever English and Spanish lands approached each other contraband activities centered in the forties and fifties primarily in Central America, extending from the Bay of Campeche to Costa Rica.

In the southern portion of this region lived the Mosquito Indians, long a thorn in the side of the Spanish authorities because of the close relations which they maintained with the English in Jamaica. In return for arms, munitions and *aguardiente*, the Indians supplied their allies with tortoise shell, salted tortoise, and with products, especially cacao and Indian slaves, drawn, or according to the Spaniards, stolen in the course of marauding expeditions, from the neighboring Spanish provinces.¹³ The troublesomeness of the Indians was laid by the Spaniards wholly at the door of the English who kept commercial factors in their villages and supported their raiding expeditions with vessels from Jamaica.¹⁴ Previous

¹³ Comayagua, Costa Rica, Nicaragua, Segovia, and Chontales are especially mentioned.

¹⁴ *Archivo de Indias* (hereafter AI), 65-6-30. D. Benito Garret y Arlovi, Bishop of Nicaragua, to H. C. M., November 30, 1711; H. C. M. to the President of the Audiencia of Guatemala, April 30, 1714; 65-6-31. Governor of Guatemala

to 1739, although the native king boasted a commission from the governor of Jamaica,¹⁵ the English maintained no official political representative on the Shore, but in the decade of the forties political and military relations were established. A detachment of soldiers was sent thither in 1744,¹⁶ a block-house was shortly afterwards built, and, in 1749 the first English superintendent was appointed.¹⁷

West of the Mosquito region, along the 60 leagues of shore extending from Trujillo to Tres Puntos and known as the Costa del Norte, was a second famous smuggling region. Here high mountains shut off a fertile coastal plain from the interior, and across it flowed numerous rivers that served as highways for commerce. From the region the English drew gold, silver, hides, cacao, sarsaparilla, tobacco, and balsams. In 1737, the captain-general of Guatemala, within whose jurisdiction the region lay, declared that the ports of this shore were used for no other purpose than as shelters for foreign ships and that the inhabitants of the whole territory, including the clergy and the highest government officials, were interested solely in illicit trade.¹⁸ Shortly after the outbreak of hostilities, the English strengthened their hold on the region

to H. C. M., November 28, 1714; 65-6-32. Governor of Costa Rica to H. C. M., August 20, 1723; 62-6-33. Governor of Costa Rica to H. C. M., August 1, 1724; President of Guatemala, June 9, 1724, October 9, 1736, May 10, 1737; H. C. M. to Audiencia of Guatemala, August 30, 1739.

¹⁵ C. O. 123, I. Governor Trelawny to the Lords of Trade, July 17, 1751. "The Mosquito settlement ever since we have had Jamaica has been under the care of the governor and looked upon as a Dependence of this Island, the King of the Indians receiving a commission for being so from the Governor of Jamaica, which I know, because it has fallen to my lot, unworthy as I am to commission a King."

¹⁶ C. O. 123, I. "At the Court of Kensington the 19th day of July, 1744. Present the King's most excellent in Council . . . it is hereby ordered that Edward Trelawny, . . . Governor of Jamaica . . . do cause a detachment . . . sent to the Mosquito Shore. . . ."

¹⁷ C. O. 123, II. "Memorial of the Principal Inhabitants of the Mosquitoe Shore" January 26, 1779. The first superintendent was Captain Hodgson.

¹⁸ AI, 65-6-33 Pedro de Rivera, President of Guatemala, to H. C. M., May 10, 1737. See also on this topic AI, 66-3-10 and 66-6-12.

by seizing the Bay Islands near Trujillo and holding them until the close of the war.¹⁹

Further north the river Belize was the center of the logwood cutting industry that had been in progress since 1669. At certain times in the year fifty or sixty vessels sailed together from the Bay.²⁰ The Spaniards were very anxious lest the English should attempt to use this shore as a base for the commercial penetration of southern New Spain. As late as the fifties the Spanish government refused to accord treaty recognition to the industry though the cost of the struggle to suppress the trade was enormous and evidence was at hand that the English would pay well for the coveted legal status.²¹ On the opposite side of the Yucatan Peninsula, still more dangerously near Vera Cruz, English smugglers swarmed in the region of the Rio Tabasco and Campeche.

Spain's injudicious entrance into the Seven Year's war enabled the English to consolidate at the close of that conflict the gains that they had made in the preceding years and to open up new avenues of approach to the riches of the Spanish colonial world. In Central America, England used its victory to secure the coveted treaty recognition of its right to cut logwood in Honduras Bay. The vagueness of the terminology insisted upon by the English confirmed the Spaniards in their belief that their rivals had nothing else in view than to carry on illegal trade.²² "As you have no right, nor do you pretend to have a right, to go to Mexico, why do you object to declaring it?" suspiciously demanded Grimaldi, Spanish first secretary of state, of the British ambassador,

¹⁹ *Papeles de Cuba*, 2263, AI, 65-6-34, 65-3-10. Sim., *Est.* 6915.

²⁰ Sim., *Est.* 2525 (Antig. 7607). Don Antonio de Figueroa (Governor of Yucatan) to H. M., August 8, 1726.

²¹ AI, 100-2-9, "Dictamen (del Baylio, Don Frey Julian de Arriaga de 4 Maio, 1756) sobre lo prejudicial que será a la España permitir a los Ingleses el corte del Palo de Tinta en la Costa de Honduras."

²² For further details see author's article on "Anglo-Spanish Relations in America in the Closing Years of the Colonial Era" in this *Review*, August 1922, pp. 358-367.

in the heat of the controversy.²³ As for Mosquitia the Spaniards believed that a fair interpretation of the treaty would rid them of the English in this section of Central America. The English soldiers and guns left the Shore but the English government refused to recognize the land as Spanish territory and in general pursued a "cautious equivocal policy" that was the despair of their subjects in the region, and in their opinion the cause of the eventual loss after the next war of the Mosquitia point of penetration.²⁴

The most serious consequences of the Seven Year's War, viewed as a struggle between England and Spain were not, however, the greater opportunities that were henceforth in the power of the English in the Caribbean region but lay in the fact that France being practically eliminated as a factor in the American colonial situation, Spain was left to face the English menace for the next two decades alone. The full effect of this was felt in the Mexican Gulf where Spain's cession of Florida to the English and the inheritance by Spain of Louisiana from France brought the two national boundaries into touch with each other while the acquisition by the English of the right to navigate the Mississippi on equal terms with Spain introduced a still more fruitful source of controversy.

The despatches of the first English governor of Florida are eloquent of the opinion held by the English settlers of the proper use to be made of the new acquisition. "My particular opinion is," wrote Governor Johnstone to the boards of trade,

that commerce must give value to the lands,— Situated as this colony is, nothing but downright folly can prevent a very extensive commerce. The most material must be that of the Spanish trade. . . . Now that New Orleans is ceded to Spain it must serve as a means to

²³ P. R. O. State Papers, Spain, 118. Rochford to Halifax, 14 September, 1764.

²⁴ See author's article in this *Review*, August 1922, pp. 351-358.

introduce our commodities to the Spanish dominions without a rival and so in a manner deliver to us the key of the wealth of Mexico.²⁵

While the French administration of Louisiana lasted and even under the mixed French and Spanish régime, the dreams of the English traders seemed in a fair way of being realized. English merchants resided openly at New Orleans and English ships multiplied on the Mississippi ostensibly on their way to English posts higher up the river, but actually, as everyone knew, engaged in trading operations with the inhabitants on the Spanish side of the river. The arrival of General O'Reilly in August, 1769, and the inauguration of a purely Spanish régime in Louisiana put a temporary halt to a promising commercial situation,²⁶ but the energetic general remained only a few months and under his successor alarm subsided and English commerce into Louisiana crept aback for six more years to its early volume.²⁷ With the appearance of young Bernardo Gálvez as governor in 1776,²⁸ the struggle was resumed at the point where O'Reilly had left it. Beginning with the seizure in April, 1777, of all the English vessels in the Mississippi on the ground that they were engaged in illicit trade, Gálvez went swiftly on to rendering secret aid to England's revolting colonists and finally to open hostilities. The seizure of the English forts on the Mississippi and the capture of Mobile and Pensacola insured the return of the Floridas to Spain and the decline of English

²⁵ C. O. 5, 574. Geo. Johnstone to Secretary of Board of Trade, October 31, 1764, and November 9, 1764.

²⁶ See author's article in this *Review*, August 1922, pp. 369-372; also C. O. 5, 577 Montford Browne to Thos. Gage, August 19, 1769, and Jn. Campbell to Lt. Gov. Browne, October 9, 1769.

²⁷ AI, Pap. de Cuba, 1055, Luis de Unzaga y Amezaga to Don Antonio Maria Bucarely, 22 January, 1771. "Estas pequeñas embarcaciones que de tiempo en tiempo pasan por delante de esta ciudad con pretexto de hir a sus puestos de Machac y Naches no tienen otro objeto que el del comercio que pueden hacer en este Rio. . . ."

²⁸ For papers on Bernardo Gálvez see AI, Pap. de Cuba, 2370, 112, 2351, 2358, 182, 101, 222; also Papers of the Continental Congress (Lib'y. of Congress) and Journals of the Continental Congress.

contraband in the Gulf. The Spanish dominions, however, were still burdened with Anglo-Saxon neighbors whose change of political allegiance in no way rendered them less dangerous in either the political or the commercial fields.

Even before the American war, the Spanish government had noticed the dangerous tendency of English commercial enterprise to drift southward and seek footholds for a Pacific trade via the straits of Magellan. The Falkland Island crisis had halted one such undertaking in 1771 but one that proved to be symptomatic of a movement that became general after the disastrous issue of the American war had cost the English the foothold in the Gulf of Mexico that the Seven Year's war had won. The danger continued to increase until Spain's anxieties for the monopoly of its South American and Pacific trade equaled those felt earlier in the century on behalf of its possessions in Central and North America. How well founded these fears were the events of the Napoleonic period were to prove.

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THE COMMERCE OF LOUISIANA AND THE FLORIDAS AT THE END OF THE EIGHTEENTH CENTURY

[Paper read at the Hispanic American Session of the Conference of the American Historical Association, December, 1927.]

I might take as a sub-title for this paper "Economic factors in the decline of the Spanish Empire in America", for it is an inquiry into the commerce of Louisiana and the Floridas in the latter part of the eighteenth century in relation to that subject.

A well known passage in Leroy Beaulieu's *Colonisation chez les peuples modernes* will serve as the starting-point for this inquiry. After a brief discussion of the Bourbon reforms in colonial government and an enumeration of the commercial concessions to the colonies, beginning in 1765 with the West Indies, he concludes:

The more important a colony was, the longer it [the Spanish government] delayed to open the colony to commerce.

He then adds the interesting conjecture that the Spanish government "seems to have wished to make an *experimentum in anima vili* by sacrificing first Cuba and Porto Rico, . . . then Louisiana . . ." before extending its liberal innovations to such precious colonies as Mexico and Peru.¹ By *experimentum in anima vili* he means of course "trying it on the dog". This is a stimulating conjecture, and the succession of dates makes it seem very plausible. But were the Spanish concessions to Louisiana and later the Floridas in fact such an experiment? In order to answer this question we shall have to examine the successive commercial regulations and the reasons for their adoption. After showing what Spain was trying to do in these border provinces, we shall

¹ Leroy Beaulieu, *Colonisation chez les peuples modernes* (4th ed., Paris, 1891), pp. 32-33.

try to explain why it failed and to point out the significance of the failure.

Spanish commercial concessions in Louisiana began with the royal decree of 1768.² This decree applied to Louisiana alone, as the Floridas were then in English possession. It permitted Spanish subjects, including those of both the peninsula and Louisiana, more extensive privileges than were then accorded the bulk of the Spanish colonies. Trade could be carried on through nine habilitated ports of Spain; and, while it was hoped that Spanish goods would be used in the traffic, permission was given for trade to be carried on with other European countries provided the goods and returns passed through one of the habilitated ports and paid a duty on importation and re-exportation. In 1778 the *reglamento de comercio libre* made some modifications in this system;³ but the results of both measures were far from satisfactory. British smugglers, enjoying the free navigation of the Mississippi River, virtually monopolised the commerce of Louisiana.⁴

The war of the American Revolution gave Spain an opportunity to re-orient its policy in Louisiana. One of its chief war aims, as expressed by Floridablanca, was "to expel from the Gulf of Mexico some people who are causing us infinite vexation",⁵—that is, British smugglers, especially those on the Mississippi. The same policy that led to the conquest of British West Florida and to its logical consequence, the closing of the Mississippi to all foreigners by the proclamation

² C. Gayarré, *History of Louisiana* (New Orleans, 1903), III. 44; a printed copy of this decree, dated March 23, 1768, is in the Archivo General de Indias (Seville), 87-3-19. These archives will hereafter be referred to as A. I.

³ Gayarré, *op. cit.*, 116. Gayarré does not give the date. See also H. vander Linden, *L'Expansion coloniale de l'Espagne*, p. 403.

⁴ J. A. James, "Spanish Influence in the West during the American Revolution," in *Mississippi Valley Historical Review*, IV. 194; Gayarré, *op. cit.*, pp. 45-46; A. I., 87-3-21, extracto of an informe by the governor of Louisiana (Bernardo de Gálvez) of October 24, 1779.

⁵ Juan F. Yela Utrilla, *España ante la independencia de los Estados Unidos*, II. 187.

of 1784,⁶ was also responsible for a revision of the laws regulating the commerce of Louisiana.

This revision took the form of the Cédula of 1782,⁷ whereby trade between France and Louisiana-West Florida was permitted to Spanish subjects—a necessary consequence of the expulsion of British smugglers, for Spanish merchants and manufacturers had proved unable to supply the colony. Direct trade with France was legalised in order to compensate the colonists for the suppression of contraband trade and to remove all pretext or reason for its revival. It might also be said in passing that this cédula was not dictated solely by considerations of state. The governor of Louisiana, Bernardo de Gálvez, was the son-in-law of an influential French creole; and Bernardo's uncle, José de Gálvez, the colonial secretary, was the champion of French interests at the Spanish court.⁸

Even this concession to foreign trade was not enough. In the course of the 1780's many others were made and still others demanded.⁹ Frequent "special permissions" enabled American ships to do a profitable if irregular business at St.

⁶ A. P. Whitaker, *The Spanish-American Frontier*, pp. 33-36.

⁷ A. I., 87-3-21, Real Cédula, dated El Pardo, January 22, 1782, signed "Yo El Rey", with rubric, and countersigned "Jph de Galvez". The greater part of this cédula is printed in M. Serrano y Sanz, *España y los Indios Cheroquis y Chaqtas* . . . (Sevilla, 1916), pp. 15-18.

⁸ The reasons for the adoption of the cédula are discussed in a memorandum, unsigned and undated, in A. I., 87-3-19. The memorandum is enclosed in a cover endorsed "Pa. el Sor. Lerena, la Luisiana," and begins "Exmo. Sor. Queriendo el Rey favorecer a los habitantes de la Luisiana . . ." See also *resumen*, dated January 9, 1779, of a representation by Manuel de las Heras, Spanish consul at Bordeaux, *ibid.*, 87-3-21; and Martin Navarro's *memoria* on the *estado actual* of Louisiana, enclosed in his despatch No. 23 to José de Gálvez, dated New Orleans, September 24, 1780. An English translation of this memorial is printed in J. A. Robertson, *Louisiana under Spain, France and the United States*, I. 235 *et. seq.*, where the editor assigns the conjectural date 'Ca. 1785 to the document.

⁹ Some of these modifications are mentioned in the memorandum cited at the beginning of the preceding note. Not all the modifications, however, were in the direction of greater freedom (*cf.*, Gayarré, *op. cit.*, pp. 187-188).

Augustine¹⁰ and New Orleans.¹¹ British merchants, with the consent of the Spanish government, took over the extensive Indian trade of the Floridas, and carried it on with British goods in British ships directly to London and back, without so much as a curtsey at a Spanish port. In 1788, the sacred Mississippi itself was thrown open to the Kentuckians as far south as New Orleans, and a thriving commerce soon developed.¹² Without the consent of the court, but under cover of the *cédula* of 1782, a considerable traffic with Philadelphia was built up by way of French Santo Domingo.¹³

These and other amplifications and abuses of the *cédula* enraged the die-hards in Spain, and in 1788 they were able to obtain from the king an order directing a reconsideration of the whole subject. The *consulados* of the habilitated ports were called on for their advice, and all of them condemned the court's liberal measures.¹⁴ One of their reports takes us back to the medieval problem of the mouse that ate the consecrated wafer, for it suggested that English contraband flour was endangering the souls of the colonists, not because it was contraband, but because it was made of an uncanonical mixture of peas and beans with wheat and was therefore unfit

¹⁰ A. I., Papeles de Cuba, leg. 2352, Gardoqui to the Conde de Gálvez, New York, September 20, 1786, No. 21; Archivo Histórico Nacional (Madrid), Sección de Estado, leg. 3893, Gardoqui to Floridablanca, March 13, 1786, No. 8 *reservada*. These archives will hereafter be referred to as A. H. N., and the Sección de Estado as Est.

¹¹ A. I., 86-6-8, Miró and Navarro to Valdés, New Orleans, April 1, 1788, No. 56; A. H. N., Est., leg. 3893 *bis*, Gardoqui to Floridablanca, New York, December 6, 1787, No. 221.

¹² On the Indian trade, see A. P. Whitaker, *Spanish-American Frontier*, pp. 36-46; and on the Mississippi, see *ibid.*, pp. 101-102.

¹³ In a letter to Floridablanca of June 3, 1787, Gardoqui complained that this illicit commerce was interfering with his negotiation with Jay (A. H. N., Est., leg. 3893 *bis*, despatch No. 192). Many other letters in this series relate to contraband.

¹⁴ A draft of the order to the *consulado* of San Sebastian, dated Aranjuez, April 21, 1788, is in A. I., 87-3-19. The replies of the *consulados* of Coruña, Santander, Barcelona, San Sebastian, and Bilbao are also in this legajo. The most interesting is the reply of Barcelona, which is dated June 19, 1788.

for use in the celebration of the mass.¹⁵ Most of the reports, however, took the less exalted ground that the cédula was ruining Spanish merchants by facilitating an immense contra-band trade in the gulf.

The matter was discussed for several years with Spanish thoroughness and deliberation. Martin Navarro, just returned from the intendancy of Louisiana, was consulted, and advised a further extension of privileges to Louisiana and the Floridas.¹⁶ In 1790, the office of director of colonial commerce was created,¹⁷ and Gardoqui, former envoy to the United States, was appointed director. In 1790, and again in 1791, he submitted recommendations,¹⁸ urging in the latter case that the three provinces be thrown open to the commerce of all nations with which Spain had a commercial treaty—i.e., to England as well as France, but not to the United States. His arguments were powerfully reinforced by the outbreak of war (May, 1793) between Spain and France. The commerce of the border colonies was dislocated, and consequently, in July, 1793, the substance of Gardoqui's proposals was incorporated in a new *reglamento de comercio*.¹⁹ Though a provisional, war-time measure, this

¹⁵ *Ibid.*, informe of the *consulado* of Coruña, dated May 10, 1788.

¹⁶ A. I., 87-3-19, (Valdés) to Navarro, October 28, 1788, draft; *ibid.*, Navarro to Valdés, January 15, 1789, No. 2, copy, certified by Navarro.

¹⁷ The office of *director del comercio de Indias* was created by a royal decree of April 25, 1790. At the same time the colonial system was reorganised by the suppression of the two colonial secretariats created in 1787, and by the distribution of their functions among the appropriate departments of Spain itself. The director of colonial commerce was subordinated to the ministro de hacienda. This decision is recorded in A. H. N., Est., "Actas de la Suprema Junta de Estado", April 26, 1790.

¹⁸ Gardoqui's first *dictamen* (autograph, signed) is undated, but the approximate date is fixed by an autograph note appended by Valdés, which is dated July 28, 1790 (A. I., 87-3-19). Gardoqui's second *dictamen*, which is in the same legajo with the first, is signed, and dated San Lorenzo, October 12, 1791.

¹⁹ A. I., leg. 2353, Gardoqui to the Captain General of Cuba, Aranjuez, June 9, 1793, copy.

reglamento remained in effect until 1802, on the eve of the return of Louisiana to France.²⁰

What was the court seeking to accomplish by these various measures? Special considerations of course operated in each case, as we have already suggested; but beneath the surface drift of opportunism ran an undercurrent of persistent policy. We may begin our definition of this policy by stating what it was not; and this brings us back to Leroy Beaulieu's conjecture. With the possible exception of the decree of 1768, as amended in 1778, none of these commercial regulations was ever designed as an *experimentum in anima vili*, to be extended if successful to the rest of the Spanish empire. On the contrary, the concessions to Louisiana and the Floridas were of limited duration and of a provisional nature, and they were intended to effect the ultimate assimilation of these border provinces to the conventional type of Spanish colony.²¹ At the same time, it was recognised that no abrupt change must be made, and above all that the peculiar circumstances of these colonies required special treatment. Louisiana and the Floridas were frontier provinces, and their function was to serve as a barrier against the economic and territorial aggression of the Anglo-Americans to the northward and eastward. Since their thousand-mile frontier made military defense impossible, it was essential that a numerous and thriving population should be built up in them. Here was a problem that was largely economic. Laborers must be induced to settle in the provinces, capital must be obtained for exploitation, and commerce must be so ordered as to stimulate the immigration and increase of both capital and labor. The court, however, was not working in the void. It was bound by tradition and by opinion in Spain.

²⁰ The *reglamento* of 1793 remained in effect until October 1802, and its termination coincided with Intendant Morales's well known order suppressing the right of deposit at New Orleans that the citizens of the United States had enjoyed under the treaty of San Lorenzo (Dunbar Rowland, ed., *Official Letter Books of W. C. C. Claiborne*, I. 207).

²¹ This is made clear by Gardoqui's second *dictamen* cited in note 18 above.

The policy adopted under these circumstances was to promote the prosperity of the border colonies, and at the same time to assure their loyalty to the crown and make them as profitable as possible to Spanish industry and commerce, effecting a gradual substitution of Spanish for foreign goods, merchants and ships in their commerce.²²

It may be mentioned in passing that in 1788 the court gave further encouragement to the development of Louisiana by liberalising the immigration laws. Generous land grants were made, the importation of slaves was permitted, and Protestantism was tolerated, in order to induce the American frontiersmen and other foreigners to settle in Louisiana and West Florida as the subjects of his Catholic Majesty.²³ With the history of this interesting effort we are not concerned, and it is mentioned only because it was a companion-piece to the commercial concessions and is another evidence of Spain's eagerness to foment the growth of these barrier provinces.

We may now inquire into the reasons for the failure of the Spanish commercial policy in Louisiana and the Floridas; for of course it was an utter failure. In 1795, by the treaty of San Lorenzo, Spain surrendered the effort, and in 1800, by the treaty of San Ildefonso, surrendered Louisiana itself. It was not that these provinces failed to increase in numbers and prosperity. On the contrary, Louisiana flourished under Spain as it never had under France.²⁴ Nevertheless the

²² A. I., 87-3.19, minute of the Junta Suprema de Estado, May 25, 1789, signed "Eugo. de Llaguno".

²³ Whitaker, *op. cit.*, pp. 101-107.

²⁴ This statement is based on the following statistics of population, shipping and value of exports of Louisiana: (1) *Population*—After more than sixty years of French rule, the population of Louisiana numbered only 12,000; in less than forty years of Spanish rule, the number had increased to 50,000 (Villiers du Terrage, *Dernières années de la Louisiane française*, p. 368). (2) *Shipping*—In the whole French period (1699-1763), the largest number of entries in any one year was seventeen (in 1722 and again in 1725). In the period 1732-1756, the number of entries fluctuated between twelve (1739) and two (1754 and 1755); the average being about six entries (and as many sailings) per year (N. M. M. Surrey, *The Commerce of Louisiana during the French Régime, 1699-1763*, p. 77). The most striking fact of all is that there was no increase in the number of

Spanish policy was a failure, for its object was not only to make the province large and prosperous, but also to render it profitable to Spain, to prevent contraband trade, and to cultivate in the growing population an increasing loyalty to the Spanish crown. Instead of this, Spaniards had a steadily diminishing opportunity to share in the mounting prosperity of the provinces, Spanish trade with other portions of the empire suffered from contraband trade through Louisiana,²⁵ and economic dependence on the outside world fostered among the colonists a feeling of indifference or hostility to his Catholic Majesty.

To Spanish statesmen one of the most alarming aspects of the failure was the leakage of gold and silver through

entries and sailings, which merely fluctuated about a very low mean. Under the Spanish rule, the situation was totally different. In 1788, 25 ships were constantly engaged in the commerce of Louisiana (A. I., 87-3-19, Navarro to Valdés, January 15, 1789, No. 2, copy). In 1790, the number of sailings from New Orleans was 91, the number of entries 42 (A. I., Papeles de Cuba, leg. 2319, "Libro General de Asiento"). The discrepancy between entries and sailings in this year is no doubt to be explained by the Nootka crisis. In 1794, the governor reported that a hundred ships were not sufficient for the commerce of Louisiana. This was after the outbreak of the general European war, which gave a great impulse to the commerce of Louisiana. It received a further impulse from the treaty of San Lorenzo, as will appear from the statistics given in Channing, *History of the United States*, IV. 311 and notes. (3) *Value of exports*—Under France, the average annual value of exports from Louisiana in a typical period (1750-1754) was less than 500,000 livres, including bills of exchange (Surrey, *op. cit.*, p. 217). In 1788, under Spain, the value of exports, not including bills of exchange, was about 2,640,000 livres (*i.e.*, 660,000 pesos: Navarro's letter to Valdes, *cit. supra*); in 1800 it was about 7,800,000 livres (*i.e.*, 1,958,000 dollars: Gayarré, *op. cit.*, 443, quoting Pontalba. See also Channing, *ut. supra*.) The foregoing statistics are of course only approximate, but they represent with substantial accuracy the great increase in prosperity that took place in New Orleans under the Spanish régime, before 1793 as well as after the outbreak of the European war and the conclusion of the treaty of San Lorenzo.

²⁵ The volume of this contraband trade through Louisiana is impossible to determine and difficult to estimate. Navarro said in 1789 that it was too insignificant to matter. Gardoqui said in 1791 that it was notorious and extensive. Pontalba in 1800 estimated its annual value at \$500,000, or one-fourth of the total value of Louisiana's export trade (Gayarré, *op. cit.*, p. 443).

Louisiana to the outside world.²⁶ In 1788 the imports into that province were valued at 1,200,000 pesos, its exports at 660,000 pesos. The balance of some 500,000 pesos was paid in various ways; in part by the illicit exportation of specie. In 1794, a single ship, the *Noah's Ark*, left New Orleans with 46,000 pesos in gold and silver; and although this ship was overtaken and searched and the 46,000 pesos confiscated,²⁷ its misfortune was almost unique. The governors and intendants of Louisiana repeatedly warned the court that it was impossible to put a stop to this specie-running, and undesirable if possible, since it was the colony's only means of balancing exports and imports. This specie, however, was provided by the Spanish government itself, which, by way of *situado* or subvention and for the purchase of tobacco, was sending about 740,000 pesos a year to New Orleans.²⁸ This sum passed into commercial circulation and most of it soon passed out of the province and into the hands of foreigners. Quite naturally the government objected to a system whereby it paid over half a million pesos a year for the violation of its own laws and the enrichment of foreigners; but it never succeeded in putting a stop to the practice as long as it possessed Louisiana.

The radical defect was the inability of Spanish merchants and manufacturers to compete with foreigners. I believe that this factor was decisive in Louisiana and the Floridas, and that, with due allowance for local circumstances, the

²⁶ In 1787, Phineas Bond declared that contraband trade with the Spanish colonies had brought "at least 500,000 dollars . . . into this port [Philadelphia] last year". ("Letters of Phineas Bond", in American Historical Association, *Report*, 1896, I. 542). The abuse was discussed by Miró in his despatch No. 1 to Lerena, dated September 26, 1790 (A. I., 87-3-19). This despatch indicates that about 400,000 pesos a year in specie (*plata*) was sent annually from Louisiana to French Santo Domingo in violation of the law.

²⁷ A. I., 87-3-22, Rendón to Gardoqui, New Orleans, Nov. 5, 1794, No. 2 *reservada*. This case has a long and complicated history. The merchants got their money back, but the case was not settled until 1802 (A. I., 87-3-22, Morales to Soler, May 31, 1802, No. 95).

²⁸ *Ibid.*, 87-3-19, Navarro to Valdés, January 15, 1789, No. 2, copy.

Spanish commercial system failed in the rest of America for the same reason that it did in these frontier provinces. The reasons will have to be indicated very briefly.

First of all, let us make due allowance for local circumstances. The most important of these was that in both Louisiana and the Floridas the bulk of the population consisted of aliens, who preferred the commodities of their native country to those of Spain. As an instance of the difficulties Spanish merchants encountered in overcoming such prejudices, we may mention the case of one who brought several casks of Rioja wine to New Orleans. In order to break down the sales-resistance of the colonists, he gave away samples of his wine; but an observer testified that when the creole connoisseurs tasted it, they made as wry a face as if they had taken an emetic. Not a single cask of the Rioja was sold.²⁹

Such predilections made it more difficult for the Spanish merchant to establish himself in the province; but they were certainly not an insuperable obstacle. It is hardly necessary to multiply instances of the British conquest of foreign markets in the face of such prejudices. These same Louisiana creoles had welcomed British contraband in the 1760's and 1770's; but they had welcomed it because of the low price of British goods, and this was precisely the bait that Spanish merchants were unable to offer. As Martin Navarro said in discussing this problem, the colonist could not be expected to pay eight pesos for a Spanish blanket when he could buy a British blanket for four.

The fault was partly the manufacturer's, partly the merchant's and partly the merchant marine's. It has been suggested that the Spanish manufacturer was handicapped by

²⁹ *Resumen* of representation by Manuel de las Heras, cited in note 8. This instance is all the more striking because, according to Gardoqui, of all the Spanish wines, those of Rioja "se semejan mas al [*i.e.*, "a él"] de Burdeos en suavidad, color, y ligereza". (Gardoqui's *dictamen* of October 12, 1791, cited above in note 18).

the wealth of the Indies, for Spain's abnormally large gold supply raised the level of prices in the peninsula, with the result that it was flooded with cheap foreign goods and the Spanish manufacturer was ruined.³⁰ At any rate, by the middle of the eighteenth century the volume of production was small, the quality of the goods low, and the enterprise of the manufacturers almost nil. For instance, when the Creek Indians were at war with the Georgians in 1786, they were given some shotguns of Spanish make; and Alexander McGillivray reported in disgust that the worthless guns burst at the second or third shot. As for enterprise, the Spanish manufacturer could not even follow where his government pointed the way. In 1789 Martin Navarro was sent by the king to England and France to gather samples and information that would enable Spaniards to duplicate the goods consumed in Louisiana and the Floridas. Navarro did his part admirably but the manufacturers did theirs miserably. Nothing ever came of the attempt.³¹

The merchants and seamen of Spain must also bear some of the responsibility. Diego de Gardoqui, who sailed from Cadiz to New York by way of Havana in 1784-1785, has left us a vivid account of the indolence, ignorance and corruption of Spanish seamen, and of the incompetence of the petty Spanish merchants at Havana, who, he said, almost made him ashamed that he was a Spaniard.³²

The same utter inadequacy of Spanish industry and commerce to the needs of the colonies is apparent throughout Spanish America. It has been estimated that 25 per cent of

³⁰ Leroy Beaulieu, *op. cit.*, p. 38.

³¹ There are numerous documents in A. I., 87-3-19 relating to this mission.

³² A. H. N., Est., leg. 3893, Gardoqui to Floridablanca, Havana, January 13, 1785, *reservada*, not numbered. In 1789 Gardoqui was still suffering from the recollection of the Havana merchants' ineptitude. Writing about them to Floridablanca on March 4, 1789, he said: " . . . No son mas que unos tenderos de una clase comun, sin mas instruccion de su profecion que de un miserable mecanismo de menudear las mercancias que les fian." A. H. N., Est., leg. 3893, No. 24 *confidencial*.) In view of Gardoqui's own commercial experience, it is to be presumed that he knew what he was talking about.

the commerce of these colonies was in the hands of foreigners.³³ That even 75 per cent of it was in Spanish hands was due to the remoteness of most of the colonies, to the monopolistic laws, and to the scarcity of good ports, which facilitated the suppression of contraband. As soon as the Spanish domination was ended by the wars of independence, Spanish merchants began to lose their hold on the colonial market and ultimately disappeared almost entirely. This elementary fact is in striking contrast with the experience of the thirteen colonies of British North America before and after their revolution.

The inadequacy of Spain's economic system to the needs of its colonies was more evident in Louisiana and the Floridas, but it can be traced in every case. Just how inadequate it was is apparent from Humboldt's and Peuchet's analyses of the trade of Spain's colonies from 1760 to the end of the century. These analyses show that Spain's commerce with her colonies amounted substantially to an exchange of goods for the output of its American mines, and for a very few other colonial products.³⁴ The Spanish economic system did not permit any general development of the resources of the colonies. I say the economic, not the political system. Spain has been reproached for neglecting Argentina, and there is some justice in the reproach; but in the Mississippi Valley, where the situation resembled somewhat that in Argentina, the Spanish government made every effort, through modification of its commercial system and immigration laws, to stimulate settlement and agriculture; but to no avail.

The trouble was not with the colonial system, which had its good points; nor was it antiquated conservatism, for Louisiana and the Floridas enjoyed a freedom of trade unparalleled in the British colonies of that day; nor altogether a faulty commercial organisation, for the flourishing Virginia tobacco trade was a model of inefficiency; nor yet the corrup-

³³ Peuchet, *Etat actuel du commerce des deux Indes*, I. 346-347.

³⁴ Peuchet, *op. cit.*, pp. 345-346, quoting Humboldt.

tion and incompetence of colonial officials, for the Spanish governors were no worse than the British in this respect. It was the very resemblances that were Spain's undoing. Spain tried to accomplish with its empire what the French and British were doing with theirs, namely to derive economic benefit from it; but since it lacked the indispensable economic organization its efforts resulted merely in a succession of irritations to the colonists, of disappointments to the Spaniards, and of affronts to foreigners. An immense contraband trade was but one symptom of the disorder; other symptoms were backstairs intrigues in Spain, revolutionary plots in the colonies, and international crises.

The latter half of the eighteenth century saw the beginning of that vast increase in production and in the volume of international trade that is still going on today, and Spain, with an inadequate coal supply and other deficiencies, was unable to keep pace. Its inability to provide its colonies with goods and other capital for their development arrayed against Spain both the colonists, who thought a golden prosperity was in store for them if they could but shake off the Spanish yoke, and foreign investors, who were ready to supply the needed capital.³⁵

The process was accelerated in Louisiana and the Floridas by the pressure of American skippers and frontiersmen, but ultimately it spread to the rest of the Spanish empire.³⁶ It will be remembered that the revolution in South America proceeded from two bases, Caracas and Argentina, and these were the two regions where foreign economic penetration had

³⁵ Gayarré, *op. cit.*, p. 172, quoting Miró's complaint of the lack of capital in Louisiana.

³⁶ An excellent account of the economic penetration of Louisiana by the United States before the purchase in 1803 is given by Louis Pelzer, "Economic Factors in the Acquisition of Louisiana," *Miss. Val. Hist. Assn., Proceedings*, VI. 109 *et seq.* The writer did not have access to the Spanish archives, and consequently was unable to make his survey complete or to show how Spanish policy was influenced by the American penetration. Some information on this subject, for the period 1783-1795, is given in my recent book *The Spanish-American Frontier*, pp. 174-180, 216-222. See also Channing, cited in note 24 above.

made the greatest progress. It has been said that in three centuries the United States rushed through a development that required 1500 years in Europe. With more justice it might be said that the commercial history of Louisiana from 1768 to 1800, evolving from monopoly through contraband to partial freedom, then greater freedom, and finally to separation from Spain, is a rapid epitome of the decline of the Spanish empire. By the end of the eighteenth century a different kind of El Dorado lured on another generation of gold-diggers, and the commercial conquistadores of the new era rifled the pockets of prostrate Spain with as much skill and as little compunction as a Cortés or a Pizarro plundering Aztecs and Incas in the sixteenth century.

The Floridas and Louisiana were not a laboratory in which the Spanish government conducted experiments in colonial policy, and for that very reason their history gives us a clearer insight into the reasons for the decline of the Spanish empire in America. The empire fell not so much because of decay within as because of pressure from without, and it was precisely in these provinces that the pressure was strongest in the eighteenth century. The efforts of the government at adaptation merely demonstrated the inadequacy of Spain's national economy. Her merchants and manufacturers could not compete with foreigners; and yet the total exclusion of foreigners was made impossible by the proximity of Americans and Englishmen. And so Spain found itself paying for the maintenance of law and order, while outsiders reaped the rewards, and the colonists were weaned away by commercial intercourse with aliens. World-wide economic development decreed the exploitation of successive areas of the Spanish Empire, and as Spain was unable to conduct or direct their exploitation it had to yield to its superiors in the modern world.

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THE DRAGO DOCTRINE IN INTERNATIONAL LAW AND POLITICS

Legal principles like any others, are more clearly understood when one is acquainted with the circumstances, events, or conditions out of which they arise. This is especially true of the Drago Doctrine, the significance of which can be well understood only in the light of the conditions giving rise to it.

It is generally known that the country of Venezuela experienced during the closing years of the nineteenth and early part of the twentieth century, many revolts, civil wars, revolutions, and instances of mob violence, in which natives and foreigners alike suffered many hardships. Various Venezuelan governments repudiated the acts of previous administrations whenever it was possible and served their interests to do so. Finally in 1902, the government established by General Castro refused to settle any claims held against Venezuela or its people by England, Germany, or Italy. It not only refused to adjust the claims of these nations but became rather defiant toward their diplomatic communications and representatives.¹ When these powers proposed arbitration in the summer of 1902, Venezuela agreed to such a plan *only* on condition that a commission composed exclusively of Venezuelans be set up to settle the claims.² This scheme, of course, was rejected by the claimant powers. The controversy finally came to a head in December, 1902, when Great Britain and Germany, diplomatically supported by Italy, established a warlike blockade of the principal ports of Venezuela.³ These measures of coercion quickly brought Venezuela to terms, and plans for the settlement of most of the claims by arbitration were arranged by the end of December, 1902.

¹ President's Messages, and Foreign Relations, House Documents, I. 58th Congress, 2nd Session, p. 430.

² *Ibid.*, p. 429.

³ *Ibid.*, p. 422.

It was on December 29, 1902, when it was already evident that Venezuela must bow to force, that Luis M. Drago, then secretary of foreign relations of the Argentine Republic, issued the famous note which was the basis of the Drago Doctrine.⁴ This note will be quoted and analyzed elsewhere in this study.

From a developmental point of view there were three outstanding steps in the evolution and international consideration of the so-called Drago Doctrine. First, there was the pronouncement itself of December 29, 1902; secondly, there was the rather formal preliminary international consideration of the question at the Pan-American Conference at Rio de Janeiro in 1906; and in the third place, and perhaps the climax, this doctrine was a high point of discussion at the Second Hague Conference in 1907. Doubtless even most thinking South Americans were considerably alarmed at the blockade of Venezuela. It seemed to many of them a first significant step in an effort by Europeans to scrap the Monroe Doctrine and perhaps colonize, or at least dominate South America. Drago himself contended that such fears were not based on pure imagination,⁵ asserted that the act against Venezuela was the beginning of this aggression, and insisted that the public debt controversy was a mere pretext for intervention.⁶ On the other hand, at the Second (1907) Hague Conference the Drago Doctrine

⁴ *Ibid.*, pp. 1-5.

⁵ Drago refers to definite expressions of this purport in articles in *The Atlantic Monthly*, *Fortnightly Review*, *The Pilot*, *The Morning Post*, *London Times*, etc., in support of his contention. Drago's contention in this matter at least possessed as much basis in fact as the recent assertions of Secretary of State Kellogg to the effect that there existed a definite Soviet plot to control Central America. *New York Times*, January 29, 1928, p. 26.

⁶ "There was [1900-1902] rife in political and diplomatic circles a constant agitation which was dominated and disseminated by the great newspapers . . . accredited reviews, and books . . . which pointed out these [South American] countries as the best fields for colonial expansion of the great powers'".—Drago, *American Journal of International Law*, I. 706.

caused a sensation because it was believed (by Europeans) that the Latin-American States sought by this means to evade the payment of their financial obligations.⁷

In respect of the specific events or conditions which occasioned the original Drago pronouncement, it may be a matter of doubt as to whether the intervention was primarily, or even considerably, due to claims based on the public debt of Venezuela. Some writers hold that the claims of bondholders were only brought into the list of grievances for intervention long after the blockade was invoked, and only as an insignificant part of the whole claim.⁸ The British Cabinet, during the blockade, stated through its spokesman in Parliament that it was not the claims of the bondholders that bulked largest in the opinion of the government, but the defense from Venezuelan attacks of the lives, liberty, and property of British subjects.⁹ Germany's final claim on behalf of its bondholders seems to have been merely for those individuals who held a valid claim from the breach of an earlier contract, which claim had been later ostensibly settled by Venezuela with public bonds, which bonds in turn proved worthless.¹⁰ The German official documents originally contained no reference to a breach of contract on the public debt of Venezuela.¹¹ The treaties, however, which closed this Venezuelan affair contained definite stipulations satisfying "the claims of bondholders".

Even though it may be granted or proved that Drago exaggerated or was mistaken in the general circumstances which gave rise to his manifesto, still that need not greatly impair the validity of his doctrine as such.

Although this particular Venezuelan question was disposed of in 1903, nevertheless the general problem of the

⁷ Alejandro Alvarez, *Ibid.*, III. (1909), 334.

⁸ Crammond Kennedy, in *Proceedings*, Amer. Soc. of International Law, April (1907), p. 134.

⁹ J. H. Latane, *Ibid.*, p. 134.

¹⁰ Pres. Messages and For. Rel., House Doc., I. 58th Congress, p. 419.

¹¹ Pres. Messages, etc., p. 429.

forcible collection of contract debts and public debts was kept alive—especially in South America—and became an outstanding part of the program of the Pan-American Conference at Rio de Janeiro in 1906.

Delegates from the United States took a prominent part in this conference, and were instrumental in having the general subject of contract debts, public loan debts, and intervention on such grounds referred to the Second Hague Conference. Secretary Root's suggestion that definite formal action on these questions be deferred until both creditors and debtors were assembled at The Hague, was followed.¹² In August, 1906, the Rio Conference adopted the following resolution:

That the second peace conference at The Hague be invited to examine the question of compulsory collection of public debts, and the best means tending to diminish among nations conflicts of purely pecuniary origin.¹³

This resolution obviously merely endorses the *consideration* of the Drago Doctrine.

At the Second Hague Conference, Mr. Choate, representing the United States, on July 19, 1907, reserved the right to present the question,

of reaching an agreement for the limitation of the employment of force in the recovery of ordinary public debts, having their origin in contract.¹⁴

Whether this seeming vagueness was purposed or not, is not clear, but from the attitude, later in the conference, of General Porter, the chief representative of the United States, that seems to have been the intent of this move. Porter subsequently made the full proposal and the main speech on behalf of the United States, and he declined, upon definite

¹² *American Journal of International Law*, I. 40.

¹³ A. S. Hershey, in *Amer. Jour. of Intern. Law*, I. 26.

¹⁴ J. B. Scott, *Hague Conferences*, I. p. 400.

request, to define the term "contract debt".¹⁵ The convention or agreement¹⁶ on contract debts signed at the 1907 Hague Conference represents the last of the chief steps in the international investigation and discussion of the Drago Doctrine. Hence we now turn from narration to analysis.

Stripped of its superfluous words, phrases, and paragraphs, the original Drago letter or manifesto was as follows:¹⁷

Buenos Aires, December 29, 1902.

Mr. Minister:

I have received your telegram . . . concerning the events that have taken place between . . . Venezuela and Great Britain and Germany. . . . The origin of the disagreement is, in part, the damages suffered by the subjects of the claimant nations during the revolutions . . . in Venezuela, and in part, also, the fact that certain payments on the external debt of that nation have not been met at the proper time.

Leaving out of consideration the first class of claims . . . this government [Argentina] . . . transmits some considerations with reference to the forcible collection of the public debt. . . .

At the outset it is to be noted in this connection that the capitalist who lends his money to a foreign state always takes into account the resources of the country, and the probability . . . that the obligations contracted will be fulfilled.

All governments thus enjoy different credit according to their conduct in business transactions; and these conditions are weighed and measured before making any loan. . . .

In the first place the lender knows that he is entering into a contract with a sovereign entity, and it is an inherent qualification of all sovereignty that no proceedings for the execution of a judgment may be instituted or carried out against it, since this manner of collection would compromise its very existence.

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The acknowledgment of the debt, the payment of it, can and must be made by the nation without diminution of its rights as a sovereign

¹⁵ *Ibid.*, p. 415.

¹⁶ See below, pp. 220-221.

¹⁷ Pres. Messages, House Documents, I. 58th Congress, pp. 1-5.

entity but the summary and immediate collection at a given moment, by means of force, would occasion nothing less than the ruin of the weakest nations . . . by the mighty of the earth.

. . . The eleventh amendment to its (the United States) constitution provided . . . that the judicial power of the nation should not be extended to any suit in law or equity prosecuted against one of the United States by the citizens of another state, or by the subjects of any foreign state. The Argentine government has made its provinces indictable, and even . . . that the nation itself may be brought to trial before the Supreme Court on contracts . . . with individuals.

What has not been established . . . is that, once the amount for which it [the state] may be indebted has been determined by legal judgment, it should be deprived of the right to choose the manner and time of payment.

This is in no wise a defense of bad faith, disorder, and deliberate and voluntary insolvency.

The fact that collection cannot be accomplished by means of violence does not . . . render valueless the acknowledgment of the public debt, the definite obligation of paying it.

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. . . It [Argentina] has felt alarmed at the knowledge that the failure of Venezuela to meet the payments of the public is given as one of the determining causes of the . . . blockade along its shores.

The collection of loans by military means implies territorial occupation . . . and such occupation signifies the suppression or subordination of the . . . countries on which it is imposed.

Such a situation seems obviously at variance . . . with the Monroe Doctrine. . . .

. . . In very recent times . . . various expressions of European opinion . . . call attention to these [South American] countries as suitable fields for future territorial expansion. . . . The simplest way to . . . easy ejection of the right authorities by European powers is just this way of financial intervention. . . .

The principle which it [Argentina] would like to see recognized is: *That the public debt cannot occasion armed intervention nor even the actual occupation of the territory of American nations by a European power.*

The loss of credit and prestige experienced by states which fail to satisfy the rightful claims of their lawful creditors . . . renders it unnecessary for foreign intervention to aggravate with its oppression the temporary misfortunes of insolvency.

Please accept, etc.

LUIS M. DRAGO.

This note contains the most important arguments and conclusions of Drago on this significant question, but to get a fuller conception of his ideas on the subject it is well to supplement the original note with his added thoughts after the host of critics had had time to digest it and formulate their opinions on this early pronouncement. A lengthy article which he wrote for a French publication shortly after the preliminary flood of criticism, was translated for the *American Journal of International Law* (1907).¹⁸ Furthermore, his utterances on this question at the Second Hague Conference throw still further light on his views. Taken together these three discussions by Drago himself afford us a fairly well rounded exposition of his thesis or doctrine.

There are two, perhaps three, fundamental themes of international law which run through Drago's pronouncements; namely, contracts (and suability on contracts), and intervention. It seems convenient then, at the outset, to take a broad general view of the subject of contracts in their bearing on this question. The usual non-technical discussion of contracts in their international aspects reduces them to three classes or types. First, there are those between individuals who are citizens of different countries; second, those between individuals and a foreign country or government; and third, there is the rather broad and perhaps vague idea of contract involved in the obligation of a state to pay its public loans or bonds.¹⁹ In any analysis of the Drago Doctrine as such, some of the complexities of the question may be clarified by keeping in mind the distinction, as Westlake, Borchard, and others

¹⁸ *Amer. Jour. of Intern. Law.*, I. 692-726.

¹⁹ E. Borchard, *Diplomatic Protection of Citizens Abroad*, p. 281.

point out, between *ordinary contractual* debts and *those* arising from public bonds.

With a few exceptions,²⁰ writers who make a distinction are agreed that the bond obligation is in its nature different from the ordinary contract,²¹ though some avoid committing themselves by stating that "bonds are the *basis* of a contract between the holder and government".²² Drago himself emphasized this difference in all his discussions, but admitted that the legal difference is not always clearly recognized.²³ The essential political, and perhaps legal, difference may well be given in Drago's own words:

In the first place, the lender knows that he is entering into a contract with a sovereign entity, and it is an inherent qualification of all sovereignty that no proceedings for the execution of a judgment may be instituted or carried out against it.²⁴

It is to be noted here, nevertheless, that he uses the phrase "entered into a contract", obviously implying that there is some sort of contractual obligation. But he states further that,

with regard to foreign loans there arises a distinct class of claims. The issue of government bonds is, like the issue of money, a positive manifestation of sovereignty. . . . It is by act of sovereignty that a nation orders payments of coupons at maturity, and . . . it is by an act of the same character that it decides, in a few special cases, to suspend payment on the debt. It is not in reality any particular creditor who has contracted directly with the government, but an indeterminate, un-named person who purchases bonds in . . . the market.²⁵

²⁰ Vattel, *Law of Nations*, II. Ch., XIV, sec. 214-216; Phillimore, Ch. 3.

²¹ *Amer. Jour. of Intern. Law*, I. 698 (Drago quoting Rivier); Westlake, *Int. Law*, p. 332; Borchard, p. 302; J. B. Scott, *Hague Conferences*, I. 417. W. L. Penfield, in *Proc. Amer. Soc. of Intern. Law*, April, 1907, p. 128; *Amer. Jour. of Intern. Law*, (1907), 26.

²² G. W. Scott, in *Amer. Jour. of Intern. Law*, II. 90-91.

²³ Pres. Mess. & For. Rel., House Doc., I, 58th Cong., p. 2; *Amer. Jour. of Intern. Law*, I. 69; J. B. Scott, *Hague Conf.*, I. 406 (quoting Drago).

²⁴ Pres. Mess., etc., p. 1.

²⁵ J. B. Scott, *Hague Conf.*, I. 406 (Drago's formal statement at the Hague).

Leading responsible governmental officials in recent times have, in the main, recognized the difference in the public loan from ordinary contract debts. Lords Palmerston, Russell, Salisbury, Balfour, and other British statesmen in the Foreign Office have by direct statement or by implication noted the special character of the public loan contract or obligation.²⁶ Marcy, Seward, Fish, Bayard, Blaine, Root, and other Secretaries of State of the United States have also indicated a difference in the nature of such obligations,²⁷ as did the so-called big-stick message (1905) of President Roosevelt. From such evidence, it seems that we may fairly conclude that the great preponderance of official governmental policy during the last three-quarters of a century—the period in which public loans have come into general prominence—has tended to consider public bonds as a special type of contract, different in fact, if not in law, from the ordinary contract.

A rather significant subordinate question arising from the Drago Doctrine is that of the suability of the state, especially its suability on contractual obligations of this character. Quite obviously this matter of suability on contractual obligations involves the principles of "exhaustion of local remedies" and the "denial of justice" as held in international law. Drago, in his original note (quoted above) stated that, The United States . . . constitution provided (eleventh amendment) that the judicial power of the nation should not be extended to any suit in law or equity prosecuted against one of the United States by . . . the citizens or subjects of any foreign state.

Without branching off on this side issue of the constitutional and legal development in the United States since the adoption of the eleventh amendment, it may be briefly stated, nevertheless, that the United States court of claims does allow claims on national bonds, interest, and directly related matters, to be

²⁶ *Ibid.*, p. 402; *Proc. Amer. Soc. Intern. Law*, April, 1907, pp. 116, 134; *Amer. Jour. of Intern. Law*, I. 698.

²⁷ *Pres. Mess.*, etc., 41; *Proc. Amer. Soc. of Intern. Law*, 1907, p. 134; G. W. Scott, *North Amer. Rev.*, October, 1906, p. 605; J. B. Scott, *Hague Conf.*, I. 398.

filed against the government, and also that mandamus may be issued against the secretary of the treasury to compel him to pay the interest on United States bonds.²⁸ This modification of the principle of non-suability in recent American constitutional development would seem to weaken the force of Drago's argument on the said basis. He further stated that Argentine

has made its provinces indictable, and even . . . that the nation itself may be brought to trial before the Supreme Court on contracts . . . with individuals. (Original note, December 1902.)

What he meant to show by these citations was, apparently, that the United States is absolute and conservative in its lack of legal processes available to the foreigner or even to its own citizens in claims against its government, while Argentine is very liberal in this respect toward its citizens, but that both countries are or ought to be a unit on the matter of non-suability of a nation in international law. In other words,

The sovereignty of the claimant state finds itself face to face with the debtor sovereignty without prescribed process.²⁹

Furthermore, he asserted that

claims arising from foreign loans have necessarily to follow a different [*i.e.*, from private contracts] course. In respect to these there is not and cannot be a denial of justice, because . . . there does not exist a tribunal competent to bring action against a debtor state.³⁰

And just here, it is emphasized by those who disagree with Drago, is the very reason why the claimant state reserves the right to judge for itself as to the "denial of justice", and if, in its present judgment there has been an extreme case of such denial, then that the creditor state may take the next legal step by deciding as to the expediency of the use of its right of intervention. Suability on ordinary contract is now

²⁸ G. W. Scott, in *Amer. Jour. of Intern. Law*, II. 91.

²⁹ Drago, in *Amer. Jour. of Intern. Law*, I. 697.

³⁰ *Ibid.*, p. 697.

allowed in practically all so-called civilized countries.³¹ International usage decrees that a sovereign state is, however, not subject to the jurisdiction of another state in any suit of law unless it expressly consents thereto.³² The public loan, it is true, has characteristics both public and private or ordinary, and hence would seem to be a sort of international contract,³³ in the breach of which, municipal law ordinarily does not claim jurisdiction. The rather complicated question of the distinction between contracts made by the government in its administrative or business capacity, and those made by it as a sovereign, need not be fully considered in this study. The recognized rule is, however, that a government may be sued on contracts of the one type but not on the other.³⁴ If national bonds or public loans are always to be classed among those contracts made by a government in its capacity as a sovereign, then Drago's stand as to non-suability was well taken.

The second, and perhaps the most important phase of the Drago Doctrine is that concerned with the question of intervention for the purpose of collecting claims based on the public debt. The heart of the Drago Doctrine is:

*That the public debt cannot occasion armed intervention nor even the actual occupation of the territory of American nations by a European power.*³⁵

Leaving aside for the moment any discussion of the definite aim of Drago to establish a special American political policy supplemental to the Monroe Doctrine, the question of the legality of intervention on the grounds of claims arising out of the non-payment of public debts invites attention. Drago argued that intervention on such grounds was unwise and

³¹ Borchard, p. 285.

³² Case Helfeld, in *Amer. Jour. of Intern. Law*, V. 490-512.

³³ Borchard, p. 304.

³⁴ *Ibid.*, pp. 127-170, 303; Nathan Wolfman, in *Amer. Jour. of Intern. Law*, IV. 377.

³⁵ Drago, Note, *supra*, pp. 208-210.

unjustifiable, if not illegal, for various reasons. His reasoning may be briefly summarized as follows. Intervention by force is to be condemned because: (1) the capitalist who lends his money knows the risks he is taking and measures his terms accordingly; (2) the lender knows that he is contracting with a sovereign entity and that hence there is no assurance of legal recourse for the recovery of such loan; (3) the collection of loans by force means the suppression or subordination of the country on which it is imposed, thus rendering the debtor less able to pay than otherwise; (4) the loss of credit and prestige by the state which does not pay its lawful debts makes intervention unnecessary; (5) there is no probability that an intervening state may be assured that it is proceeding in favor of its own subjects or citizens, and not in behalf of foreigners; (6) hopeless confusion will result if bonds are held in various nations and these nations intervene separately; (7) the preferential treatment resulting from the Venezuela case shows that the creditor nations which do not intervene are handicapped; (8) coercion encourages fraudulent speculations and loans; (9) force is always the weapon of the strong powers for oppressing the weak nations; (10) it is evidently illegal, for judicially the public debt cannot be an object of compulsion.³⁶ Other writers on this subject have repeated these same arguments, while a few of them have offered some additional reasons, namely, that intervention on such grounds involves more expense in armaments than the total claims amount to,³⁷ that it is injurious to the trade of neutrals,³⁸ and that it is unfair to the great body of the fellow citizens of the few bondholders that the former be thus burdened for the benefit of a special class of speculators.³⁹

³⁶ Drago, in the various references cited above.

³⁷ Amos Hershey, in *Proc., Amer. Soc. of Intern. Law*, April 1907, p. 127; J. B. Scott, *Hague Conf.*, I. 391; G. W. Scott, in *North Amer. Rev.*, October, 1906, p. 605.

³⁸ J. H. Latané, in *Proc. Amer. Soc. of Intern. Law*, April 1907, p. 138; J. B. Scott, *Hague Conf.*, I. 404.

³⁹ Borchard, p. 404.

Such an array of arguments against forcible intervention would seem to leave little room for the defense of such a policy. Nevertheless, the other side of the question has its advocates. In fact, the arguments already cited are chiefly of a moral or political character, and have little to offer from a legal standpoint. Drago, though he denied the legality of intervention in such cases as this Venezuelan affair, nevertheless admitted that warfare is sometimes justifiable. He simply asserted that the right to go to war is based on an injury of a nation's honor, vital interest, and legitimate development, but that the non-payment of public debts could never be classed among such causes.⁴⁰ Whatever legal case Drago might have hoped to establish was frankly and seriously weakened when he closed one of his discussions with this significant statement:

But if it should be proven—that coercion is legitimate and in accordance with the law, we shall continue to maintain that violent methods of recovery are not applicable to us—because they involve conquest.⁴¹

Hall, Phillimore, G. W. Scott, Rivier, and others assert that the state has the right of intervention by force to collect claims based on the public debt,⁴² while Calvo, F. de Martens, and others deny such right.⁴³ Some of the older legal writers simply failed to discuss this particular ground of intervention. It is difficult to determine, therefore, just where the majority of the ablest writers on international law stand on this question. Even if we could truthfully state that most of them take this or that attitude, still, to conclude that a majority establishes the law in the case would be erroneous. Their stand furnishes valuable reasoning and evidence, but there

⁴⁰ J. B. Scott, *Hague Conf.*, I. 407 (paraphrasing Drago).

⁴¹ Drago, in *Amer. Jour. of Intern. Law*, I. 725.

⁴² Hall, *Int. Law*, sec. 86; Phillimore, II. Pt. V. Ch. 3, 26-30; Hershey, in *Amer. Jour. of Intern. Law*, I. 37; G. W. Scott, in *North Amer. Rev.*, October 1906, p. 604.

⁴³ Hershey, in *Amer. Jour. of Intern. Law*, I. 37.

must be adduced some important additional evidence. And that brings us to the actual policies of nations.

What do the practices of nations and the pronouncements of their responsible officials have to offer us? From their point of view is intervention legal? Is it legal for governments to intervene in behalf of their citizens who hold contract claims? And, of more definite relevance to the Drago Doctrine, is it lawful to use force to collect debts due to holders of public bonds? As a matter of practice it is undeniable that there has been a considerable number of interventions on the basis of debt claims, both public and private, as for example, in Mexico, Egypt, Portugal, Nicaragua, Turkey, Venezuela, and Persia. Certain writers contend, however, that these cases were exceptional and that the general rule is non-intervention on the basis of debt claims, both public and private, on these grounds.⁴⁴ But here again it should be noted that there was no distinct separation of claims based on the public bonded debt as the *exclusive* cause of intervention, for in each case claims based on *other injuries were involved*.

The practice of the United States has been *non-intervention* in behalf of claims based on ordinary contracts made by its citizens with foreign governments,⁴⁵ though it has reserved the right to intervene in cases of tort, or denial of justice.⁴⁶ Many secretaries of state have gone on record to this effect.⁴⁷ However, such principles and practice do not, in most cases, make clear the attitude of the United States government on the question of the use of force in the collection of public debts. Before Drago penned his famous note in 1902, there seemed in fact, to have been no effort to distinguish such claims, in relation to intervention, from those based on ordinary contracts. Drago hoped that the United States would

⁴⁴ Hershey, in *Amer. Jour. of Intern. Law*, I. 39.

⁴⁵ *Ibid.*, p. 39; Borchard, p. 289.

⁴⁶ Pres. Mess. and For. Rel. (1900), p. 903 (Delogo Bay R. R. Case).

⁴⁷ Borchard, pp. 287-294.

definitely subscribe to his special doctrine, but he was disappointed at Secretary Hay's "ceremonious but cordial evasion"⁴⁸ in reply to his note. His later attempts to commit Secretary Root to this policy were apparently no more successful. Root's instructions to the American delegation to the Rio de Janeiro conference of 1906, bear out this conclusion, and are well worth noting in this connection:

It has long been the established policy of the United States not to use its armed forces for the collection of ordinary contract debts due to its citizens by other governments. . . . We regret that other powers . . . have . . . permitted themselves, though we believe, with reluctance, to collect such debts by force. It is doubtless true that the non-payment of *public debts* may be accompanied by such circumstances of fraud and wrong-doing or violation of treaties as to justify the use of force. This government would be glad to see an international consideration of the subject which shall discriminate between such cases and the simple non-performance of a contract with a private person, and a resolution in favor of reliance upon peaceful means in cases of the latter class.⁴⁹

Here we see, first, the traditional policy of the United States on ordinary contract debts; second, the admission that other powers have not subscribed to that policy; third, that forcible intervention to collect public debts is justifiable in extreme cases; fourth, that there should be a clear distinction between the two types of obligations; and last, a definite implication that the United States is not ready to adopt a new policy in opposition to the principle of the right of intervention to collect claims on the public debt. President Roosevelt gave utterance to this same general attitude in his message of 1905.⁵⁰ The practice of the United States in recent times has been to reserve the right of intervening in the Central American and Caribbean countries on behalf of claimants

⁴⁸ Drago, in *Amer. Jour. of Intern. Law*, I. 723.

⁴⁹ J. B. Scott, *Hague Conf.*, I. 398.

⁵⁰ Pres. Mess. and For. Rel. (1905), pp. 6-11.

against the public debt.⁵¹ This practice is to a great extent due to what is considered a special responsibility under the Monroe Doctrine, and hence might or might not be classed as binding in international law. Drago was so optimistic as to argue that both Root and Roosevelt tacitly supported his doctrine,⁵² but it seems evident that the United States not only did not commit itself to his program, but by implication, actually rejected it.⁵³ This rejection was, in the light of the expressed attitude of Root and Roosevelt, both as to its *legality* and as to its *wisdom* as a policy. The fundamental policy of the United States on ordinary contract debts is rather lightly disposed of by Drago thus:

The isolated claims of individuals arising from ordinary contract can indeed always be disposed of with more or less difficulty, avoiding by means of payment the action which, though unjust, a foreign government might take to compel it.⁵⁴

Thus Drago at least left no doubt of the vital difference to his mind, between the two types of contract, and the supreme importance of the public debt, in its international bearing, in comparison with that of a private character. The stand taken by General Porter and the other American delegates at the Second Hague Conference—the high point, perhaps, of the international consideration of the Drago program—shows conclusively that Drago had not won his case so far as the official attitude of the United States was concerned.⁵⁵

Great Britain has officially noted the difference in the types of obligation or contracts as such, but has apparently made no effort to separate them as grounds for intervention in its active policy. That kingdom has, in extreme cases, intervened where the claims of bondholders were involved.⁵⁶

⁵¹ Borchard, p. 295, and footnote.

⁵² Drago, in *Amer. Jour. of Intern. Law*, I. 723.

⁵³ J. B. Scott, *Hague Conf.*, I. 422.

⁵⁴ Drago, in *Amer. Jour. of Intern. Law*, I. 735.

⁵⁵ J. B. Scott, *Hague Conf.*, I. 400, 403.

⁵⁶ Borchard, pp. 390, 313, 314; G. W. Scott, in *Amer. Jour. of Intern. Law*, II. 83; Wharton, II. 655.

Lord Palmerston's rather famous note of 1848 has been specifically endorsed by Russell, Salisbury, Balfour, and other leading heads of the foreign office. This note stated, among other things, that there was no question of the right of the government to intervene in such cases, and that it was simply a matter of expediency in each case as to whether it would actually intervene to collect debts of any sort.⁵⁷ It should be observed, however, that British officials have time and again refused to do more than use the good offices of the government in behalf of bondholders.⁵⁸ This attitude has caused some authorities to conclude that the British practice is not to intervene and that it is merely Great Britain's policy to reserve the right,⁵⁹ though that seems an awkward negative statement of the case. It seems quite evident, however, that our final conclusion, from the attitude of both writers and statesmen, should be that the leading nations reserve the right to intervene with armed force in extreme cases, for the collection of public debts. Nevertheless, as a matter of practice, such right is rarely, if ever, used as the sole basis of intervention.

Strictly speaking, Dr. Drago's doctrine as such was not considered at the Second Hague Conference, because it was designed as an exclusively American policy. Hence it was fundamentally modified, in adapting it to the world policies considered at The Hague. Drago considered it a necessary complement of the Monroe Doctrine, and devoted much of his effort to having it recognized as such. When he saw that his policy was not to receive immediate endorsement as a Pan-American undertaking, he went to the Hague Conference, hoping the proposal would receive some sort of favorable consideration there. The final form of the convention on

⁵⁷ J. H. Latané, in *Proc. Amer. Soc. Intern. Law*, April, 1907, p. 134; Borchard, pp. 314-315.

⁵⁸ Borchard, pp. 315.

⁵⁹ J. H. Latané, in *Proc. of Amer. Soc. of Intern. Law*, April, 1907, p. 134.

contract debts adopted (by a vote of 39 for, and 5 against) at The Hague was:

The contracting Powers agree not to have recourse to armed force for the recovery of contract debts claimed from the Government of one country by the Government of another country as being due to its nationals.

This undertaking is, however, not applicable when the debtor state refuses or neglects to accept an offer of arbitration, or after accepting the offer, prevents any "Compromis" [mode of procedure] from being agreed upon, or, after the arbitration, fails to submit to the award.⁶⁰

Drago signed this convention with two reservations; first, that, in case of ordinary contract debts, arbitration be used only in the specific case of a denial of justice, and second, that public loans with bond issues constituting the national debt cannot in any case give rise to military aggression nor to the actual occupation of the soil of an American nation. Certain writers have made elaborate explanations⁶¹ to show that the language of this Hague Conference cannot be interpreted to cover the scheme advocated by Drago, but the best evidence for such a conclusion is this second definite reservation made by Drago himself. And thus, in a measure at least, Drago lost his case at The Hague, though his doctrine had by this time gained a world-wide publicity. His second reservation also attests the fact that he still clung to the idea that his plan was an exclusively American policy. Doubtless he still hoped to secure greater Pan-American approval of his scheme.

Curiously enough, two of Drago's keenest critics were contemporary fellow South Americans. Alvarez of Chile felt that the doctrine is either superfluous or defective, according to the object in view. Superfluous if it seeks to prevent the European states

⁶⁰ *The Hague Conventions and Declarations*, ed. by J. B. Scott, p. 89.

⁶¹ G. W. Scott, in *Amer. Jour. of Intern. Law*, II. 90.

from gaining American soil, for the Monroe Doctrine accomplishes that purpose.

And it is defective, he contended, in that it urges only a special type of opposition to European pressure instead of a general formula.⁶²

M. Barbosa of Brazil thought that

a contract is a contract whether it be evidenced by a bond or by an ordinary instrument. The distinction between state loans and private contracts—refusing force in the one and allowing it in the other—is contrary to legal reason.

“According to Drago”, Barbosa argued,

the debtor retains the right, in state loans, to control both the time and manner of payment. Hence the debtor may never pay it. Legally speaking if I have the right to pay only when I care to pay, then . . . I may postpone forever the date of payment.⁶³

Doubtless some of this argument is rather far-fetched, but the attitude of these two writers at least shows clearly that even South America was not without discord on the Drago doctrine.

Finally it should be emphasized again that Drago had no expectations, perhaps did not even hope, either to see his doctrine become world-wide in actual application, or to be accepted as a legal formula.

It is . . . before and above all a statement of policy. . . . The Argentine Republic proclaimed the unlawfulness of these forcible collections of public debts . . . not as an abstract principle . . . nor as a rule of law for universal application, but as an expression of American diplomatic policy.⁶⁴

The specific type of economic and political imperialism which Drago feared has not developed, and hence it seems that the

⁶² A. Alvarez, in *Amer. Jour. of Intern. Law*, III. 334.

⁶³ Barbosa, quoted by J. B. Scott, *Hague Conf.*, I. 410-411

⁶⁴ Drago, in *Amer. Jour. of Intern. Law*, I. 725.

Monroe Doctrine needed no special complementary doctrine of a financial nature.

Hay, Root, Roosevelt, or other responsible officials have offered only meager reasons for the refusal of the United States government to endorse the Drago Doctrine as a matter of policy. Perhaps they pictured, from a knowledge of previous actual conditions, the quite possible orgy of public loan issues, and the consequent financial chaos in certain countries of South America, were the United States to say hands-off to Europe in such a *laissez-faire* scheme. In other words, in the light of the experiences of certain Central American and Caribbean countries with the intervention of the United States in their financial affairs, if the Drago Doctrine were to be accepted, then the Monroe Doctrine would lose its terror for Central and South America. The United States was apparently not ready to undergo such a loss.

In conclusion, it may be stated that the Drago Doctrine has not been accepted as a new legal principle; it has not been made a Pan-American diplomatic policy; nor has it superseded the older international practice on the contractual responsibility of the state. But, on the other hand, it has been an aid to clearer thinking on types of pecuniary obligation, and it has undoubtedly been influential in deterring forcible intervention on the basis of financial claims.

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BOOK REVIEWS

A History of the Cuban Republic: a Study in Hispanic-American Politics. By CHARLES E. CHAPMAN. (New York: Macmillan, 1927. Pp. xii, 685. Map. \$5.00.)

This *History* throws floods of light upon the question, What has Cuba done with its twenty-five years of independence? And illumination has been needed.

The first chapter, on "The Pearl of the Antilles", is a brief description of the island, as an intelligent tourist would see it, and the next four supply the background needed by the general reader, in the form of a summary of the history of Cuba up to 1902, when the republic was proclaimed. Then follows a somewhat detailed consideration of the administrations of the first four presidents—Estrada Palma, José Miguel Gómez, Mario García Menocal, and Alfredo Zayas. The remaining chapters deal with "The Constitution and Congress", "The Futility of the Law in Cuba", "The Cuban Government Lottery", "Cuban Election Evils", "Social Factors in Cuban Life", "Material and Intellectual Conditions", and "The Future of Cuba: a Question". There is a critical essay on authorities which shows that the author was unsparing in his efforts to secure all available data upon his subject; also, an index, but this is meagre and unsatisfactory. A map that is clear, and not too detailed, adds value to the book. The work, as a whole, is well-written, though the author at times drops into colloquial phraseology, and has permitted a few clumsy sentences—such as those on pages 227 and 653—to escape revision.

One of the most valuable parts of the study is that devoted to a consideration of the first intervention, and this gives convincing evidence that the charges of personal dishonesty against Charles E. Magoon, American governor during the period, were entirely without foundation; but Professor Chapman is of the opinion that Magoon, under pressure from Cuban politicians, did distribute a number of sinecures, and that he was too lavish in granting pardons. However, Magoon's record shines by comparison with the murky careers of practically all of the Cuban politicians who filled office between 1905 and 1925. Under them, an almost continuous orgy of corruption characterized every branch of Cuban government. "The typical

Cuban politician", the author states, "is a grafter, if not a criminal", and many details are offered in support of the charge. One reads of stolen elections, frequent murders for political ends, general use of bribery, and of numerous government transactions, like the Cárdenas Bay contract, each of which resulted in great amounts of public money being tucked away into private pockets of politicians, the president usually getting the lion's share. Occasionally a chief executive was more frank and direct in his use of national funds for personal ends. For example, Zayas, the last and worst of the bad trio, had a statue of himself erected in a public square while he was still in office.

During the twenty years in question, conditions in Cuba grew steadily worse; in proportion as political corruption gained in boldness and extent, national retrogression was accelerated. Cuba now has, in proportion to population, three times as much crime as the United States, where the growth in law-breaking has been a cause for concern. Cuba's record in this regard is partly explained by the neglect of education. In 1900, under General Wood's administration, seventy-five persons per thousand were in the schools; by 1920, the number had dropped to fifty per thousand.

It is instructive—though also disconcerting—to be told that the politicians who have been wrecking the Cuban Republic are from the very group which furnished the leaders in the movement for independence from Spain. The general reader will perhaps also learn with pained surprise that the United States, far from being regarded in Cuba with grateful affection, is there the object of unfriendly propaganda. In the opinion of the author, the best hope of the Island Republic is in an honest, efficient executive. There reform can best begin. Whether this hope is being realized in President Machado, the future will reveal.

Is Chapman's *History of the Cuban Republic* biased, as some American critics have claimed? The present reviewer sees no evidence to support such a charge. On the contrary, the book supports and amplifies the reviewer's own impressions, gained from more casual investigation of conditions in Cuba. Furthermore, the governmental record of the Island Republic is typical of Hispanic-American political history, in general, as all specialists in the field will recognize. Some of the countries to the south have perhaps never sunk so low, politically, as Cuba; others have done even worse than that country, far worse. Cuba's record is perhaps a little better than the average,

which prevents the sub-title of the book from being an injustice to Hispanic America. In connection with the question of prejudice, it should be noted also that Professor Chapman is careful to speak well of men and measures whenever the facts appear to permit of it, and that he is, for example, warm in his praise of Estrada Palma, the first president of the Republic. Finally, the author supports his statements by careful documentation, many of the most uncomplimentary charges being based directly upon Cuban sources of the highest value.

The book is an important one, and should be of interest to all Americans, but especially to those who worked for the independence of Cuba, achieved at the cost of several thousand American lives. Certainly, in the past quarter century "Cuba Libre" has given little proof that it was worth the sacrifice.

MARY WILHELMINE WILLIAMS.

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Miranda et la Révolution Française. By C. PARRA-PÉREZ. (Paris: Librairie Pierre Roger, 1925. Pp. lxii, 474.)

This tome is an intensive study of the activities of Francisco de Miranda in the French Revolution. In a dedicatory address to President Gómez the author, who served for years as Venezuela's diplomatic representative at Berne, expressed his gratitude at the decision of his government to publish this treatise on Miranda at a time when the nations of Spanish America were about to celebrate the centenary of the battle of Ayacucho. Parra-Pérez avowed that in studying one of the manifold phases of Miranda's career, he had desired "to write a true history and not an apology". By friendly correspondence, personal investigations, and hired copyists, the author garnered materials for his study chiefly from the libraries and archives of London and Paris.

In a lengthy introduction he outlines the career of his hero before 1792. In the last chapters he sketches Miranda's activities from 1801 to 1816. By far the greater portion of the book is devoted to the romantic career of Miranda in France. Parra-Pérez minutely describes Miranda's service as a French general under Dumouriez in the Argonne, at the sieges of Antwerp and Maestricht, and at the battle of Neerwinden. A chapter is allotted to the trial of Miranda for treason before the Revolutionary Tribunal. Then the author

narrates with circumstantial detail the ex-general's dramatic experiences in France from 1793 to 1797; his thoughts about reforms in the French government in 1795; his successive imprisonment in La Force, Plessis, and the Madelonnettes; his relations with French artists, litterati, and statesmen; and his decision to leave French soil in 1797. Notice is also taken of Miranda's last visit to France in 1801. The book lacks both a bibliography and an index. However, it contains a large amount of information about the Don Quixote of Spanish-American independence.

This study does not add much to our knowledge of Miranda's master passion, the emancipation of the Spanish Indies. Further light on that significant theme must indeed await the publication or the utilization of the prodigious mass of inedited documents contained in the sixty-three tomes of Miranda's archives found by the reviewer in 1922 in the estate office of Lord Bathurst and recently purchased by the government of Venezuela. From the eighteen volumes of that collection which are devoted to the French Revolution, Señor Parra-Pérez can certainly extract material that will amplify, correct, and supplement the narrative furnished in the volume under review.

WILLIAM SPENCE ROBERTSON.

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Historia documentada de San Cristóbal de la Habana en el siglo XVI, basada en los documentos originales existentes en el Archivo General de las Indias en Sevilla. By IRENE A. WRIGHT, B.A., F.R.H.S. 2 vols. (Habana: Imprenta "El Siglo XX", 1927.)

These volumes were awarded first prize by the Academia de la Historia de Cuba in its first annual competition of 1919. The general subject of the contest was that indicated by the titles given, the purpose of the Academia being to encourage the writing of Cuban history from hitherto unused sources. Miss Wright had lived in Habana ten years before entering upon her present career at the Archivo General de Indias, and was therefore eminently qualified for her task. The Cuban historians were apparently a trifle piqued at having the first prize go to the author, because her writings on contemporary Cuba had expressed judgments at variance with their own. Nevertheless, as impartial judges they awarded their decision in recognition of the merit of the work; they are likewise gracious enough to acknowledge

the well-merited reputation enjoyed by Miss Wright as an investigator and writer of Hispanic American History.

The history will prove valuable to students interested in the naval and military strategy of Spain in controlling its American empire by the fortification of Habana. Miss Wright's work occupies 179 pages of Volume I., being followed by nearly 400 pages of neatly printed and hitherto unused documents of the sixteenth century from the Archives of the Indies. There are appropriate illustrations, likewise used here for the first time. The author suggests that she may continue this study in three more volumes to the close of the seventeenth century.

Given the character of the contest, the nature of the growth of Habana, and the selection of the documents, it was inevitable that the book should be essentially a military history. The first period of the story of Habana may be said to have begun with Narváez, 1513, and to close with the residencia of Ángulo in 1550. It was a period of relatively small importance for the founding of the little port of refuge destined to become the future great city. The second period, to 1587, was more important; a new and bigger fortress was constructed to ward off the French, the town grew apace, its history merging in that of the island. It was a time of much bickering between the powerful groups in charge of the city, all coming to a climax with the quarrelsome régime of Gabriel de Luxán.

Then followed a third epoch, till 1625, wherein the influence of English intruders compelled greater defenses for the colonies, since the Spanish marine proved inadequate. After the shadow of Drake was lifted from Caribbean waters the Dutch, West India traders, caused renewed terror and the building of more defenses. In fact, the growth of Habana, and to an extent the prosperity of the whole island, were due to military and naval strategy.

Twin to Habana, at least in contemplation, and to a degree in actuality was San Agustín; the two controlled the Bahama Channel, protecting the Florida Coast and the homeward-bound fleets of treasure. The existence of these two great military posts must be taken into account in explaining the long enduring resistance of Spain to the onsets of her numerous colonial rivals. In the seven chapters of the book interest centers on the construction of the old fortress, the new one, and the growth of Morro Castle. There is rather more than enough detail of local disagreements and perplexities, but these will

not seem so to the interested Cuban. The author and the Academy are to be congratulated upon the two well written and carefully printed volumes.

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Historical Documents relating to New Mexico, Nueva Vizcaya, and Approaches thereto, to 1773. Collected by Adolph F. A. Bandelier and Fanny R. Bandelier. Edited by CHARLES WILSON HACKETT. Volume II. (Washington: Carnegie Institution of Washington, 1926. Pp. xi, 497. Map.)

This volume constitutes the third section of the materials collected by the Bandeliers and published by the Carnegie Institution of Washington. In it the student of Spain's northern borderlands will find, in English translation and Spanish text, the first extensive body of documents relating to Nueva Vizcaya in the seventeenth century which has appeared in recent years. "The only other published collection of miscellaneous documents relating to Nueva Vizcaya in the seventeenth century that will compare in volume and subject-matter with the documents . . . published for the first time" in this volume "are the *Documentos para la Historia Eclesiástica y Civil de la Nueva Vizcaya* in *Documentos para la Historia de Mexico*, fourth series, volume III. (Mexico, 1857)". In brief then, we have here a fresh and varied set of texts dealing with a comparatively little-known period and area in the history of Spain's northward advance toward the southwest of the United States.

Those acquainted with the first volume of this series will be gratified to find the same high standards of scholarship maintained by the editor and his collaborators in this continuation. The translations are accurate and at all doubtful points critical notes are provided. The Spanish texts are remarkably clean and evidence a careful checking with the originals. The documents are allowed to "speak for themselves", but, lest they mutter ambiguities, the editor has wisely correlated them with all the available information on their period in an introduction (pp. 3-83) of admirable proportions. The scholarly competence evinced in this difficult sketch of the entire field calls for unstinted commendation. It is not a mere perfunctory series of generalizations and summaries of documents, but a genuine contri-

bution based on a careful study of the printed sources for the history of Nueva Vizcaya.

The geographical area embraced by the volume includes all of northwestern Mexico. A map showing the seventeenth century location of the Indian tribes in this region serves as a frontispiece and helps to fix the *locale* of the numerous Indian wars described in the documents. Their contents are too varied and voluminous to permit even a scant *précis* within the scope of this review. All the ordinary Spanish official papers, such as *cartas*, *hojas de servicios*, *probanzas*, *relaciones*, *informes*, *autos*, *cédulas*, *provisiones*, etc., are represented in the forty-six items which comprise the collection. In subject-matter they touch on all the phases of frontier life in Nueva Vizcaya and range freely within the time and area limits of the work. Indeed, so frequently is the frontier character of Nueva Vizcaya manifested in these pages that it might be said to be the key to the history of the area throughout the entire seventeenth century. Indian problems, punitive expeditions, defense, the Church, mining operations, and plans for expansion are the principal matters pictured in the documents. One is impressed above all in these records by the seriousness of the Indian question and by Spanish accomplishment in the face of the handicap of small numbers and a chronic depletion of the treasury. Of particular interest are the descriptions of frontier types which show them to have much in common with their Anglo-Saxon counterparts. An abundance of fuel for the fires of discussion anent Spanish treatment of the natives is provided. Perhaps the most significant set of documents is that concerned with José Francisco Marín's inspection of the province, in 1693, and his subsequent proposals for its reorganization.

Separated from the main body of the text are some singularly choice records of the ill-starred La Salle expedition to the coast of Texas. They consist of photographic copies (pp. 257-478) of a parchment picture of a vessel in colors, on which two letters in French appear, and four pages of the log of the "Belle", one of La Salle's vessels. Originally discovered by W. E. Dunn, they are reproduced here for the first time, established as to text, and critically studied. The Appendix, which considers these materials, is the work of the distinguished editor of the *American Historical Review*, Dr. J. F. Jameson. The two letters in the spaces of the parchment were addressed to the Spaniards by Jean L'Archevêque and Jaques Grolette,

companions of La Salle, who later fell into the hands of the Spaniards. In the main body of documents, additional new materials outline Nueva Vizcaya's relations with the attempt to drive out the French. La Salle's interest in the silver mines of the province is established and the presence of Frenchmen on the Río Grande near La Junta de los Ríos is demonstrated for the first time.

This volume makes it quite clear that the history of this region deserves more attention. It was the bridge to New Mexico, Texas, and the West Coast, and background for the entire advance of Spain into the southwest of the United States. Historians will find these records prerequisite to any understanding of this phase of American history, and anthropologists and ethnologists will appreciate the value of their dated descriptions of Indian tribes in definite geographical areas.

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Documentary History of the Tacna-Arica Dispute. By WILLIAM JEFFERSON DENNIS. [“University of Iowa Studies. First series, No. 122, January 1, 1927. Studies in the Social Sciences, vol. VIII, No. 3.”] (Iowa City, Iowa: Published by the University, 1927. Pp. 262.)

Although many books and articles have been written purporting to explain the Tacna-Arica dispute, to the average reader the inexplicable has remained unexplained. The complications of this question seem to be so great as almost to defy impartial solution. To set before the reader the facts in the case and let him solve the problem for himself is perhaps the best method. This is what Mr. Dennis has done in his *Documentary History of the Tacna-Arica Dispute*.

As its title indicates, this study is primarily a collection of documents. The author's history of the Tacna-Arica dispute is limited to an introduction of only eighteen pages, while the remainder of his little volume consists of the documents themselves. Of this collection, Part I contains documents relating to the causes of the War of the Pacific; Part II, those relating to peace proposals in that war, and Part III, those relating to consequences of the Treaty of Ancón. Before each document there is an *Introduction and Source*, in which by means of a paragraph or two the author elucidates the bearing of the document on the question, and links it up with the history of the

dispute. Included with the earlier documents are six interesting old maps showing the state of knowledge as to the boundaries between Chile and Bolivia before the War of the Pacific, and in the front of the book is a large scale guide map depicting the outlines of Tacna-Arica, Tarapaca, and the area between twenty-three and twenty-five degrees south latitude, over the ownership of which the original dispute between Chile and Bolivia broke out.

It is to be regretted that a few more documents giving the Chilean side of the dispute have not been included. It is also to be regretted that some of the translations which the author has selected are not in the clearest and most idiomatic English, although this may have been necessary because no others were available. In only two cases are the Spanish texts given in addition to the translations; viz., that of Article III (the Plebescite Clause) of the Treaty of Ancón and the whole of the Protocol and Supplementary Agreement of Washington, July 20, 1922.

There is very little new material in this book. Probably almost all of the documents have appeared in print elsewhere. The only exception which the reviewer notes is that of the official colonial map of Potosí, 1787, the source of which is the Archivo General de Indias 121-7-25, No. 145. Most of the other sources, such as *American State Papers*, *Foreign Relations*, *Senate Documents*, *British and Foreign State Papers*, Prescott's *El Problema Continental* and Gonzalo Búlne's *Guerra del Pacífico* are certainly not inaccessible to the average student. The value of the collection consists in the fact that so many documents have been assembled in such a convenient form and have been introduced with such illuminating remarks as to their source and pertinence by one who evidently knows his subject thoroughly.

The author's summary of the whole dispute given in his eighteen page introduction is probably the clearest and most succinct exposition which has yet appeared on this rather involved and knotty historico-diplomatic problem. It lays especial emphasis on the influence of fertilizer finance and the rivalries of foreign capitalists in bringing on and prolonging the War of the Pacific and on the blundering diplomacy of the United States throughout.

In a short editorial introduction, Louis Pelzer, the editor of the "University of Iowa Studies", gives the information that Mr. Dennis was a resident of Peru from 1917 to 1922 and that he also visited Chile and Bolivia. This residence evidently taught the author that

one must dig deep to find the roots of the dispute, for in his own introduction the latter notes that they are "deeply embedded in the geography and geology of the coast northward from the edge of that desert" of Atacama. He shows how the hope that great wealth in guano and nitrates similar to that existing in Tarapaca and Atacama would be found in the provinces farther north has not materialized, how Tacna-Arica is in reality "a white elephant to Chile, productive of little revenue, costly to administer, and costly to defend", and how "the region would scarcely be worth to Peru the cost of the arbitration and the 10,000,000 pesos". To neither nation therefore is the value of Tacna-Arica more than historical. Its importance "is strategic and in a broad sense sentimental". The interest of the United States is forced by a sense of the responsibility of its government for the fruitless interference of Secretaries Evarts, Blaine, and Frelinghuysen before, during and after the War of the Pacific. The author closes his introduction with the remark that "the following collection of the most important documents relating to the question which undoubtedly is greater than the mere manner of holding a lapsed plebescite is submitted not as a complete history of the case, but as an outline of its basic principles, with the hope of stimulating further study into this and other important phases of South American history".

ALFRED HASBROUCK.

Columbia University.

Prescott: Unpublished Letters to Gayangos in the Library of the Hispanic Society of America. Edited with notes by CLARA LOUISE PENNEY. [Hispanic notes and monographs.] (New York: The Hispanic Society of America, 1927. Pp. xxi, 215. XIX plates.)

By students of Spanish life and culture the names of Prescott, Ticknor, and Irving will always be venerated as pioneers in their chosen field and whose works form a noble monument to American scholarship. Any information regarding the life, character, and methods of work of these distinguished scholars must, therefore, hold a peculiar interest for students of today.

And it was with a certain pleasant anticipation that the reviewer opened this small volume containing unpublished letters of Prescott to Pascual de Gayangos. "The present collection"—to quote the editor's words—"serves chiefly as a supplement to Mr. Wolcott's ad-

mirable volume,¹ carrying the letters to Gayangos on from the year 1847 (when that compilation ends) to the time of Prescott's death in 1859".

Inasmuch as Gayangos acted as European book and manuscript collector and as general adviser and critic for Prescott, the present letters are of interest as illustrating the working methods of the American scholar, his indefatigable industry despite his heavy handicap of defective sight and his supreme desire to secure the source material in his field of investigation, either originals, or transcripts executed under the direction of his friend Gayangos.

Moreover there are numerous details that exhibit the author's character, his friendship for Ticknor, Calderón, and Irving, his reactions to various disappointments, his fear of being anticipated in his work by other authors, together with occasional interesting reflections upon contemporary events.

We read, for instance, that transcripts are more expensive in London—more than a shilling a page—than in Madrid "where the charges are within a Christian conscience": that Calderón is translating the *Conquest of Mexico*: "But who will buy it? Will the Spaniards spend their money on old wives' tales?" His comment on the Mexican war expresses an interesting contemporary view:

So, we have conquered Mexico, you see, that is, we beat the Mexicans wherever we can find them. It is beating a shadow—though if we are to hitch the lifeless carcass of Mexico to our chariot, it will be a good deal worse than a shadow. I tremble for the future.

He complains quite bitterly of the Spanish translation of his *History of the Conquest of Peru*:

I am ashamed to put such shabby volumes on my shelves, and I sincerely hope that all concerned in the disgraceful affair, translator, printer, bookseller & all have burnt their fingers by it. I shall take it very kind of my adopted countryman—the *hidalgo*—if he will never meddle with book of mine again.

In the preparation of his *History of the Reign of Philip II* he feels the need of haste lest other writers anticipate him:

There are so many poachers about now-a-days, that I shall find all the game beat up & killed before my eyes, & before I have pulled trigger, if I do not look out.

¹ *The correspondence of William Hickling Prescott, 1833-1847*, transcribed and edited by Roger Wolcott (Boston and New York, Houghton Mifflin & Co., 1925).

The editorial work is excellent, the notes full and carefully prepared. The index is a feature of special value. The volume is enriched by nineteen well executed plates of portraits and facsimile.

C. K. JONES.

Library of Congress.

Bibliographical and historical Description of the rarest Books in the Oliveira Lima Collection at the Catholic University of America. Compiled by RUTH E. V. HOLMES, assistant librarian of the Ibero-American Library. (Washington: Catholic University of America, 1926. Pp. [6], 367. Index.)

Although the technical compilation of this interesting and helpful volume was made by Miss Holmes (now Mrs. Davis), the notes and information relative to the 209 titles described were dictated by Dr. Manoel de Oliveira Lima, the donor of these books to the Catholic University of America, and their librarian. The books described are those segregated from the 40,000 volumes of the library because of their special rarity, value, and interest, and exhibited in the various showcases.

The pieces described range from the beginning of the sixteenth to the beginning of the twentieth century. They cover a wide field of knowledge—history, travel and exploration in many lands, religion and missions, chronicles, linguistics, natural history, medicine, politics, and many other matters. The titles are in Latin, Portuguese, Spanish, French, Italian, German, Dutch, and English. Some of the books are extremely rare, and others while more commonly found in the largest collections, are still valuable because of their rarity and interest. A considerable number of them deal with Hispanic America.

In the publication of this work, students have here one more helpful source to which they can have recourse. By pointing out that these titles (and many others not listed in this volume) are available in the Ibero-American Library, Dr. Oliveira Lima and Mrs. Davis have rendered signal service. The notes dictated by Dr. Oliveira Lima are especially valuable and cite other titles not specifically described. Dr. Oliveira Lima has a wealth of information concerning the authors of these books that is not generally known, as well as of the history they portray.

JAMES A. ROBERTSON.

The Prairie and the Making of Middle America: Four Centuries of Description. By DOROTHY ANNE DONDORE, Ph.D. (Cedar Rapids, Iowa: The Torch Press, [1926]. Pp. xiii, 472.)

This ambitious volume is a glorified bibliography of books written on and in the mid-section of the United States, in which occur descriptions of that section and its people. It has been well done. Miss Dondore has had to do an immense amount of reading, and her criticisms are for the most part sound. The eight chapters discuss the Spanish and French in the Mississippi Valley (two chapters); the English advance; the Louisiana purchase and non-imaginative treatments to 1870; early romantic treatments; the realism of the Mississippi Valley; romantic treatments after 1870; and recent tendencies. One might wish that the parts treating of the Spaniards were more fully treated. Miss Dondore has mentioned and described the usual books, like that of Cabeza de Vaca, for instance, but she has quite disregarded various old chronicles, such as that of Dávila Padilla and various other volumes by religious, who concern themselves, for the most part, it is true, with other regions. It is realized, however, that this would have increased the author's work considerably. The book has a literary as well as an historical value.

In the Heart of Spain. By THOMAS EWING MOORE. (New York: The Universal Knowledge Foundation [1927]. Pp. xi [4], 330. Illus. Map.)

Mr. Moore (late secretary in the American diplomatic service) has added another readable book on Spain. His volume is happily restricted to Andalusia, and in it he has caught excellently the color of that romantic region and something of the characteristics of the people. The book abounds in good descriptions, which are often heightened by the illustrations. A co-religionist with the Spaniards, he has naturally much to praise concerning the religious expression of the people as manifested in many festivals and ceremonies, and in the art and architecture. He does not hint, however, at the gradually loosening power of the old traditions and beliefs that can be detected at times, although, of course, Spain is, and probably will always remain, an intensely Catholic country. Throughout the volume are scattered bits of Roman, Gothic, and Moorish history, with good descriptions (and some history) of various cities and towns, including,

as one might expect, Seville, Córdoba, Granada, and Cádiz. There is the usual chapter on the bullfight, which Mr. Moore condemns, and at which he shudders, one suspects, with a certain smugness. The *Archivo de Indias* of Seville is dismissed with a scant three pages, which are rather perfunctory; but one must remember that it is not the author's intention to write a history or to give directions for historical research. The chapter on Columbus and the Columbina Library is fuller and more appreciative. Enough is given of the archaeological explorations at Carmona to make one wish for a fuller description. As a whole the book conveys a good idea of modern Andalusia, with enough of the old added to show something of the historical evolution that has taken place, both in a religious and racial sense. Although Mr. Moore displays a keen appreciation of the art, religion, and history of the region of Andalusia, one wonders at times, whether he really got very close to the people themselves, or whether he held himself a bit aloof, and only looked at them.

The Spell of the Caribbean Islands. By ARCHIE BELL. (Boston: L. C. Page & Company [1926]. Pp. xviii, 361. Illus. \$3.75.)

The islands written of in this volume are those that stretch from near Porto Rico toward the South American continent. They comprehend, among others, the Virgin Islands, Barbuda, Antigua, Guadalupe, Dominica, Martinique, St. Lucia, Barbados, and Tobago—all once considered Spanish property, but all preëmpted by other nations, and the first named by purchase from Denmark belonging to the United States. The volume is the description of a leisurely trip by the author through the islands, many of which were visited; and the narrative is written in an easy, somewhat rambling, but popular and interesting manner, that is, after the author really gets started on his trip, for the opening is slow and somewhat stilted. In a pleasant way considerable interesting information is given concerning these comparatively little known islands and their people. Few references are made to Spain, although the author mentions some of the islands where Columbus stopped or is said to have stopped. Those contemplating a trip through this region will find the volume worth reading. A fairly good list of books is added.

Panama and the Canal To-day. An historic Account of the Canal, with special Reference to the early Enterprises of the French Company and the United States. . . . By FORBES LINDSAY, and NEVIN O. WINTER. (Boston: L. C. Page and Company [c1926]. Pp. xvi, 536.)

The first edition of this book, written by Forbes Lindsay alone, appeared in 1910. A new revised edition was issued in January, 1912, which went through two other impressions the same year and one in 1913. The present edition is the revised edition of 1912, with two additional chapters by Nevin O. Winter. The new chapters are "The Completed Canal" and "Panama in 1925". The volume is divided into three parts, namely: "The Canal", of nine chapters; "The Country", of twelve chapters; and "The Canal in Operation", of two chapters. In part I. are given the genesis of the idea of the canal, a summary of the events leading to the construction by De Lesseps, and the taking over of the project by the United States. Part II. presents some little of the history of Old Panama, its sacking by Morgan, and the present Panama; the ancient Chiriqui Indians; and the interior of the country. In this section is reproduced (pp. 181-282) Esquemeling's account of the sack by Morgan, which is interesting enough, but somewhat in the nature of padding. Part III. is the addition by Winter. The volume contains much interesting matter, but one may wonder perhaps whether the new edition was necessary. If the old plates were used for this edition, they were not sufficiently revised, for on p. 181 occurs this sentence: "No account of it [the Morgan raid] is so authoritative as that of Esquemeling, who was one of the band, exists." Information is at times unnecessarily duplicated. On p. 314, after having had Esquemeling's narrative, the author tells us that "Henry Morgan, leading a collection of ruffians of all nationalities, captured the city and reduced it to ashes." On p. 332, the city of David is given about 4,000 inhabitants, and on p. 384 between four and five thousand. These rough points should have been cleared up on final revision. However, there is much useful and correct information in the volume, although notwithstanding the last two chapters, it is not sufficiently up to date. The appendices, consisting of the Panama Canal Convention of 1903 and two tables of statistics, are good; and the bibliographical list is useful.

Brimstone and Chili. A Book of personal Experiences in the Southwest and in Mexico. By CARLETON BEALS. (New York: Alfred A. Knopf, 1927. Pp. [10], 334. Illus. \$5.00.)

The personal experiences recounted in this book began with an expedition made by the author and his brother in search of treasure along the Rio Yaqui in the state of Sonora, Mexico. By auto, donkey, and afoot, the quest led them from San Francisco south and east through California and Arizona and Old Mexico into the Yaqui country, suffering thirst and many bodily discomforts in the deserts and other regions through which they passed. The second phase of the book relates the abandonment of the quest because of the hostile Indians and the decision to go to Mexico City. Almost without money or clothes, and often without food, they finally reached Culiacán, meeting with many adventures and to relieve their distress working more than once for peon's wages. From Culiacán, the author went on alone, because his brother was unable physically to continue further. The third phase of the account relates the author's experiences until he reached Mexico City; and the last phase, his experiences in that city. Throughout the account is vivid, but it is told simply and without undue fireworks, and bears the stamp of truth. Until he was able to rehabilitate himself in Mexico City by setting up as a teacher of English, his cup was more than full of misfortune; yet in the very midst of this, he was able to appreciate the world about him and to a remarkable degree, to retain his sanity of judgment. He was unusually close to the realities of life with all the grimness and starkness laid bare. His description of conditions is excellent and the book will take its place because of this among informing books of reference. His delineation of certain Mexican leaders is of interest. Some of the stories he relates, one suspects, he inserted in his book merely to add spice. His frankness is remarkable and verges at times perilously close to poor taste. But the book itself is worth reading if for no other reason than as an interpretation of certain aspects of life in Mexico.

NOTES AND COMMENT

THE STRANGE STORY OF A SIXTEENTH CENTURY ENGLISH PIECE OF ORDNANCE AND THE INQUISITION OF MEXICO

Some years ago, in a bound volume of inquisition documents marked "Inquisition XVIth Cent. 1572-1591", preserved in the National Archives of Mexico, the writer came across a curious report "On a Lutheran inscription on a piece of artillery . . . of the fort of San Juan de Ulua" that aroused her interest, as it was further stated that it had belonged to "Juan Aquines", i.e., John Hawkins.

It was therefore probably one of the "eleven pieces of brass" that John Hawkins, in 1568 "for the better safety of himself and his had planted and placed" on the said island when the Spanish fleet, conveying the new viceroy, entered the port in which he and his seven English ships had been forced to take refuge a few days previously.¹

According to his deposition in the English admiralty court in March, 1569, his flagship, the *Jesus of Lübeck*, that had been bought for the English navy by Henry VIII. and had been lent the expedition by the queen, carried in all fourteen pieces of brass, namely: Two whole-culverins, two cannons, five demi-culverins, three sacres, and two falcons.²

The report to the inquisition is dated 1572, four years after the fight at Ulua. Another document found by the writer in the archives of the town of Veraacruz and dated December, 1573, may also relate to English ordnance. It consists of an order given to the mayor of Vera-cruz to have

delivered to Antonio de Espilla, the receiver of jetsam and flotsam, of the port of San Juan de Ulua, some pieces of ordnance (and a part of the balls) that had been transported from the port to the city and unmounted, so that they can be removed and replaced in said port, to be ready for use when necessary.

The report to the Holy Office is as follows:

On a Lutheran inscription that is on a piece of artillery on San Juan de Ulua. Inscription on a piece of ordnance of the fortress of San Juan de Ulua.

On the fifth day of the month of May of the year one thousand five hundred and seventy-two years Captain Juan de Cespedes and Melchior Descalona,

¹ Miles Phillip's Discourse, in Hakluyt's *Principall Navigations*, 1589.

² See: *An English Garner. Voyages and travels . . .*, vol. I. with an introduction by C. Raymond Beazley, Introduction and p. 116.

clerk of the Holy Office in these Kingdoms of New Spain, by mandate of the Commissary of the Inquisition of Veracruz, came to the fortress of this port of San Juan de Ulua to see some inscriptions that were on some pieces of ordnance that had belonged to John Hawkins (Juan Aquines).

Because they were in Latin I was called to copy them as they were and on seeing them I found that the principal one read as follows: *Eduardus sextus dei grā anglie francia et hibernie rex fidei defensor et. . .* The remainder had been effaced by blows of a hammer, the said Captain having ordered their removal because he had been told that they were scandalous and repugnant words.

After making certain endeavours I was able to read some of what was there at the end of the effaced title. This was: *et in terra suprence mane desie caput*, [sic].

In order to certify to this the gunners were summoned, among them one named German Flamenco (Fleming), whose oath was taken by his captain and who then swore: "I say and affirm the same that is set down here."

All of the other pieces of ordnance were examined and found not to have anything bad or scandalous, therefore the said Captain and I, who saw them, subscribe our names

JUAN DE CESPEDES.

MELCHIOR DESCALONA.

THOMAS BRAVO MEXIA (scribe).

It was very interesting to me to find, on referring to the late Dean Stanley's *Historical Memorials of Westminster Abbey* (London, 1886), that the inscription on the piece of ordnance, presumably a culverin or cannon abandoned by John Hawkins in Mexico, was identical with that discovered on the leaden plate fastened to the coffin of Edward VI. in Westminster Abbey of which Dean Stanley wrote:

the letters deciphered gave to the world, for the first time, the epitaph on the youthful king, in some points unique among the funeral inscriptions of English sovereigns. On the coffin of the first completely Protestant King immediately following the Royal titles was the full and unabated style conferred by the English Reformation; "On earth, under Christ, of the Church of England, France and Ireland Supreme Head."

This inscription in full, as copied on the pavement above the coffin of the boy king in Westminster Abbey follows and in parallel column is given the Inquisitor's report on the mutilated inscription on the piece of ordnance left by John Hawkins at San Juan de Ulua.

INSCRIPTION IN WESTMINSTER ABBEY

Eduardus Sextus Dei Gratia Angliae
Franciae et Hiberniae Rex Fidei
Defensor, et in terra sub Christo
Ecclesiae Anglicanae et
Hibernicae Supremum Caput

INSCRIPTION ON CANNON

Eduardus sextus dei grā anglie
francia et hibernie rex fidei
defensor et in terra . . .
. . . desie . . . mane . . . et
. . . suprence caput

It will be seen, from the above, that the words of the style conferred upon the king by the English Reformation, which designated him as "the Supreme head of the church . . . under Christ" are precisely those that gave offense and were effaced because to a Roman Catholic they constituted a scandalous usurpation of the papal title.

The inquisitor evidently inverted the order of the fragmentary words he deciphered with difficulty, possibly in an attempt to make sense of them. The Latin scholars at the Holy Office in Mexico must have felt satisfied that the "Lutheran inscription" had been rendered unintelligible and harmless.

Of the inscription on the leaden coffin plate Dean Stanley wrote: Such an inscription marks the moment when the words must have been inserted in that short interval of nine days whilst the body still lay at Greenwich and whilst Lady Jane Grey still upheld the hopes of the Protestant party.

The fact that the identical style was inscribed on an important piece of ordnance of a ship belonging to the royal navy proves, however, that it was openly used during the king's lifetime. It is probable that other examples of its use were, if not destroyed, kept out of sight during the reign of Mary Tudor, and it would be interesting to know whether any example of a piece of ordnance with "the style" has been preserved in England. The writer looked in vain for one in the armory of the Tower of London. With a faint but enticing hope that one of John Hawkins's brass pieces might still be on the island of San Juan de Ulua, the writer instituted a search thereon. Escorted by the commander of the military prison, to whom she had brought a letter from the minister of war, and who most kindly entered into the spirit of the quest, an examination was made by her of all old pieces of ordnance on the island, but in vain.

At her departure the commander and his staff gallantly presented her with, what all agreed, appeared to be the oldest relics extant, namely two water and rust worn cannon balls that had lain so long under water on the surrounding coral reef, that all that remained of them were their comparatively small, deeply pitted, iron cores. These souvenirs are, however, prized by their owner as they occasionally evoke in her the pleasant, though transient, delusion, that they may have crossed the ocean on the *Jesus of Lübeck*, with Hawkins and Drake.

ZELIA NUTTALL.

Coyoacan, Mexico.

CULTURAL RELATIONS WITH HISPANIC AMERICA

President Coolidge in opening the Congress of Pan American Journalists a year ago declared:

After all, we of the Western Hemisphere are one people striving for a common purpose, animated by common ideals and bound together in a common destiny. Unto us has been bequeathed the precious heritage and high obligation of developing and consecrating a new world to the cause of humanity.

And Secretary Kellogg followed his chief in his address at the annual luncheon of the Associated Press when he said:

What North and South America need is a more intimate acquaintance with each other, a better understanding of languages, knowledge of government, social and economic questions. . . . I can not emphasize too much the importance of bridging the gap that ignorance of language always creates between peoples. . . . The high state of civilization and the social and economic development which is now taking place in Central and South America is marked and progressive. . . . Though we speak a different language, we have many things in common with our neighbors in the South.

According to an estimate of the department of commerce (June 30, 1927) United States investments in Hispanic America amount to \$4,800,000,000—more than one-third of the \$12,000,000,000 total foreign investments of this country (exclusive of government loans to Europe for war or post-war purposes). Our export and import trade with Hispanic America amounted in 1926 to nearly two billion dollars. One-third of our diplomatic posts and one-fourth of the consular are in Spanish-speaking countries. President Coolidge and Secretary Hoover have urged the general study of Spanish here; Senator Borah recently began to study Spanish because he felt that he could not give intelligent consideration—in his post as chairman of the foreign affairs committee of the United States senate—to Hispanic American questions without the background to which a knowledge of the language serves as a magic key. On all sides the commercial and political importance of the Hispanic American countries is emphasized. One great monthly publication dealing with current events has devoted most of a recent number to that region.

One wonders, however, whether the emphasis on political, economic, and commercial relations with these countries has not caused us to overlook those other aspects of human affairs that the present age is only too likely to ignore—the humanitarian and cultural interests

which are not dependent on trade or politics, finance or diplomacy. Even those who have a purely material viewpoint, moreover, should concede the importance of cultural knowledge and sympathetic appreciation of the foreign civilization. The patience and skill with which Germany built up—and is now recovering—its great foreign trade on just that principle, has become a commonplace. The German in South America was “of” the people with whom he did business; the American or Englishman, only rarely. The German spoke the language and knew the historical and social background, the racial psychology, the social customs, the family life, of his prospective customer; the Anglo-Saxon often needed an interpreter, and still more often had a poorly concealed air of Anglo-Saxon superiority. Much improvement has taken place in this regard but we still have much to learn from the German world-trader.

These reflections are called forth by two events, namely, the thirty-seventh concert of Hispanic American music broadcast on September 9, 1927, from the beautiful esplanade of the Pan American Union in Washington; and the sixth Pan American Conference held at Panama in January and February, 1928. In his brief concluding remarks at the concert, Dr. Leo S. Rowe, director general of the Pan American Union, referred to the amazing success of the series of concerts which he had inaugurated and spoke of an appreciative letter received from a small town in Ohio, the writer of which said that out of an appreciation of the concerts had come a community interest in Hispanic American culture and eventually a general community study of Hispanic American history, politics, and economics. It is to be expected that the Pan American Conference at Havana has taken into account the possibilities of this sort of activity, looking toward the development of cultural interests. Interchange of students, exchange professorships, increased instruction in the Spanish and Portuguese languages and in Hispanic American literature, exhibitions of the progress of art and archaeology—these are a few of the many means that might be employed. The concerts (in part by Hispanic American artists) of the works of Hispanic American composers have demonstrated the efficacy of this method of developing international understanding, which has as one of its outstanding characteristics its freedom from any suggestion of political, diplomatic, or financial propaganda.

To what extent are our people conversant with Hispanic American culture? What activities of a cultural nature are being carried on here, and by whom? In an article of this scope no attempt at completeness is possible, but the writer has tried to indicate in outline something of what Americans are doing to increase our cultural knowledge of Hispanic America.

First, as to fundamental acquaintance with Hispanic America. There has been a remarkable increase in travel thither within recent years; one need only read the advertisements of travel bureaus and steamship lines to get an idea of the extent of this interest. The permanent or semi-permanent "American colonies" in the Hispanic American countries have also increased markedly since the war. Spanish-American students are coming to our colleges and universities (particularly for the study of science, engineering, medicine, and dentistry) in increasing numbers, and American students are reciprocating in some degree by their summer studies in Hispanic America, notably at the University of Mexico and—if we may extend our field to include an American possession—the University of Porto Rico. There have been a few interchanges of professors, but there should be many more.

The most notable concrete instance of increased cultural interest, however, is the enormous growth in the number of students taking Spanish in our schools and colleges which began after the Spanish-American War and which shows the amazing vitality and fundamental appeal of this kind of interest. It is to be hoped that the study of Portuguese will have like success; hitherto there has been a disappointing lack of interest in its study. Secretary Hoover, in a statement published several years ago, said:

The Spanish language occupies in this continent a place second only to that of English, and even in territory within the jurisdiction of the United States a knowledge of Spanish is of considerable commercial importance. In most of the other republics the study of English has become compulsory during the last decade. We must take particular care to see that the study of Spanish, if not made compulsory, is at least made possible in all our secondary schools. Improvement of our relations with the other countries of the continent will require a far wider knowledge of their economic conditions, their institutions, and their culture than we now possess, and the gateway to any such knowledge is the correct use of the languages. The building up of a sound and enduring commercial policy with respect to Latin America will be dependent upon the existence of a growing number of men and women trained in Spanish and Portuguese; and, consequently,

every high school should at least offer courses in Spanish, while those high schools aiming to provide special training in commercial subjects should also make available courses in Portuguese.

In an interview published in the *Washington Daily News* of June 22, 1926, and carried throughout the country by the United Press, President Coolidge was quoted as wanting "American high school children to study Spanish" and as favoring "an intensive campaign among the schools for this purpose". Much still remains to be done for the proper development of the study of Spanish, however, and every effort must be made to give Portuguese its rightful place in the curriculum.

The study of the history of Hispanic America, urged so eloquently by Secretary Kellogg in his convocation address at the University of Pennsylvania on February 22, 1926, has made marked progress in recent years. The pioneer work of Prescott, and Parkman, and later that of Lowery and Bernard Moses (both a continual inspiration to younger scholars) has been continued with enthusiasm and with a continually broadening vision by a group of teachers and historians of the United States. Among these are Professors Arthur Scott Aiton, of Michigan; Herbert Eugene Bolton and Charles E. Chapman, of California; Vera Lee Brown, of Smith; N. Andrew N. Cleven, of Pittsburgh; Charles W. Hackett, of Texas; Clarence H. Haring, of Harvard; William R. Manning, formerly of Texas, now of the Department of State and the American University; Percy Alvin Martin, of Stanford; J. Lloyd Mecham, of Texas; Roger B. Merriman, of Harvard; William Whatley Pierson, Jr., of North Carolina; Herbert Ingram Priestley, of California; J. Fred Rippey, of Duke; James A. Robertson, of Stetson; William Spence Robertson, of Illinois; William R. Shepherd, of Columbia; A. Carlos Wilgus, of South Carolina; Mary W. Williams, of Goucher; and others. Charles E. Chapman and William Spence Robertson initiated the plan to found a special review dealing with the history of Hispanic America and the result of their plan was the foundation by a group of scholars of THE HISPANIC AMERICAN HISTORICAL REVIEW, now published under the auspices of the Duke University Press, with James A. Robertson, of Stetson University, as managing editor and a rotating editorial board comprised of historians from various parts of the country, and associate editors from various Hispanic American countries. Unfortunately *Inter-America*, so useful for history and literature, died shortly after the demise of

the regretted Peter Goldsmith. Professors Cecil K. Jones, of George Washington University (bibliographical adviser of *THE HISPANIC AMERICAN HISTORICAL REVIEW*) and Hayward Keniston, of the University of Chicago, have made important contributions to the bibliography of Hispanic American history. Charles F. Lummis and others have done pioneer work in popularizing the reading and study of the history of Spanish America.

Writers and experts who have dealt with the economics, law, and politics of Hispanic America include some of those mentioned above and also Dr. Leo S. Rowe, Director General of the Pan American Union; Professor Harry T. Collings, of the University of Pennsylvania; Dr. Julius Klein, Director of the United States Bureau of Foreign and Domestic Commerce (formerly Assistant Professor of Latin American History and Economics at Harvard); Professor Edwin W. Kemmerer of Princeton, the international monetary expert; Dr. Dana G. Munro, of the Department of State; Dr. Samuel G. Inman, of the Committee for Coöperation in Latin America; Professor H. G. James, of the University of Nebraska; Dr. Constantine E. McGuire, of the Institute of Economics; the late Dr. G. A. Sherwell, secretary general of the Inter American High Commission; Dr. F. W. Hodge, of the Museum of the American Indian, Heye Foundation; and others. One of the best informational volumes on Hispanic America is the work of Professor Jacob Warshaw of the University of Missouri. Dr. James Brown Scott of the Carnegie Endowment for International Peace is an expert on the jurisprudence of Hispanic America. University libraries which have noteworthy collections in Hispanic American history and economics include Harvard, Columbia, Pennsylvania, Texas, Stanford, California, and others. Other important collections exist in the Library of Congress, the New York Public Library, the Ayer Collection of Newberry Library, the William E. Clements Library of the University of Michigan, the John Carter Brown Library, the Hispanic Society of America, the Henry E. Huntington Library and Art Gallery, the Pan American Union, the Ibero-American Library (Oliveira Lima Collection) of the Catholic University of America, and others.

The more popular field of description offers many interesting books of travel and description dealing with the various countries of Hispanic America. It would be useless to attempt to select even a few representatives of the many delightful books available. It is worthy

of notice here, however, that one of the most useful is Dr. Franklin H. Martin's account of his tour of South America, which though written primarily from the point of view of a surgeon—and he seems well pleased with the progress of medicine there—has nevertheless succeeded in interesting the “general reader” as well. Among the numerous writers of first importance is Mrs. Harriet Chalmers Adams, who has given us some attractive accounts of her travels. There are a host of others.

The literature of Hispanic America has not yet been properly appreciated in this country. It is true that there have been isolated translations of some outstanding works. We have English translations, for instance, of Isaac's *María*, Marmol's *Amalia*, and Gálvez's *Nacha Regules*, among the novels; translations of a few short stories; English versions of a few dramas of the Argentine; and numerous translations of Spanish American verse, in which Miss Alice Stone Blackwell has done some excellent work. But the novels of Blest Gana, of Hugo Wast,¹ of Eduardo Barrios, and of many others of equal merit, still remain literally closed books to the American reading public, while an army of first-rate poets are unknown here even by name, despite the fact that many of them are disciples of Walt Whitman or Edgar Allan Poe—the best-known writers of the United States in Hispanic America. Rubén Darío, the Nicaraguan poet who revolutionized not only Spanish American verse but the poetry of Mother Spain as well, has been translated in part, notably by Dr. Thomas Walsh of New York City, the compiler of an attractive anthology of translations of Spanish and Spanish American verse. But the poetry of Gabriela Mistral, though well known here in Spanish, has not been translated to any extent. We have a translation by Frederic Jesup Stimson, former United States ambassador to Argentina, of *Ariel*, the famous essay by José Enrique Rodó which has become the confession of faith of progressive young Hispanic America, and a translation by Mrs. Horace Mann of Sarmiento's *Facundo*; but so far as I know there is nothing available in English from the works of Hostos, or Ingenieros, or Bunge, or other intellectual leaders of Spanish America. As for the literature of Brazil, there are one or two trans-

¹ A translation of Wast's *Black Valley* by Professor E. H. Hespelt and Dr. Miriam Hespelt appeared after this article was in type.—H. G. D.

lations of important novels—Graça Aranha's *Canaan*, for example—and a collection of short stories translated by Isaac Goldberg, but little else.

In literary history a beginning has been made by Professor Alfred Coester² of Stanford University with his excellent *Literary History of Spanish America*, and by Dr. Isaac Goldberg with his *Brazilian Literature* and his *Studies in Spanish-American Literature*. Dr. Coester has recently returned from a year's research in South America, and a revised edition of his book above mentioned has quite recently appeared.

The study of Spanish American linguistics owes much to Professors C. Carroll Marden of Princeton and Aurelio M. Espinosa of Stanford. Dr. Espinosa is also a world authority on Spanish American folklore, in which Dr. Elsie Clews Parsons has also made important studies.

Hispanic American archaeology has been cultivated with conspicuous success by Professor Hiram Bingham of Yale (now a member of the United States senate), by Dr. F. W. Hodge and Dr. Marshall Saville, of the Museum of the American Indian, Heye Foundation, by Professors A. M. Tozzer of Harvard, W. C. Farabee of the University of Pennsylvania, and others. Dr. Sylvanus G. Morley, Edward Herbert Thompson, Dr. Herbert J. Spinden, and others have been productive workers. Professor Leo Wiener, of Harvard University, has sought to interpret early American civilization as an immediate derivative from Africa. Expeditions have been conducted under the auspices of Harvard, Pennsylvania, the Carnegie Institution, and other agencies. The journal *Art and Archaeology*, edited by Arthur Stanley Riggs, has rendered important service in this interesting field.

Educational contacts between the United States and Hispanic America have been closer and more frequent than most Americans realize. Sarmiento, the founder of the modern educational system of Argentina, was a friend and disciple of Horace Mann. His statue in Boston is a permanent reminder of their friendship. In many cities of Hispanic America there are schools named for Mann—the *Escuela Horacio Mann* is of fairly common occurrence. The educators of Hispanic America are very progressive and thoroughly in touch with

² Since this was written, Dr. Coester has been appointed Professor of Spanish-American Literature in Stanford University, becoming the first holder of a full professorship in this field.

modern educational theory and practice, as perusal of any of their well-edited educational journals will prove. The school buildings of many Hispanic American cities compare very favorably with the best that our cities can offer. Open air schools, special schools for retarded children, etc., are provided there as here. Many Hispanic American educational administrators and supervisors have studied in the United States, among them Sr. Luis Bouroncle of Peru, a graduate of Harvard, and his countryman Dr. Julio Tello, the ethnologist and archaeologist, who is also a Harvard graduate.

Of Hispanic American music and fine arts a long story might be written. Hispanic American composers and compositions have become well known in the United States, from tango music to symphonies, first through the interest in dance-music and latterly in a more serious way through the efforts of Dr. Leo S. Rowe and the assisting artists in the long and successful series of Hispanic American concerts already mentioned. Articles on painters and sculptors of Hispanic America appear at intervals in the *Bulletin of the Pan American Union* and in the art journals, and an occasional exhibit has taken place. More exhibitions of Hispanic American art and architecture will do much to bring home to citizens of the United States the excellent work that is being done in that region.

Among the agencies for the interchange of ideas and intellectual interests in general between the two great divisions of the western world, none is more important than the Pan American Union, with its *Bulletin* published (under the able editorship of Miss McDermott) in English, Spanish, and Portuguese editions, its educational section, its informational monographs, and its other manifold activities. Next come the various Pan American congresses, from the first Pan American Conference convoked by Secretary of State James G. Blaine in 1899-1900, to the more recent congresses, which have dealt with commerce, commercial law, monetary questions, transportation, trademarks, health and sanitation, science, engineering, and—last but not least—journalism. The Hispanic American division of the Carnegie Endowment for International Peace, under the fostering care of Dr. James Brown Scott, has done yeoman service for the cause of better relations, approaching the problem from the point of view of fundamental questions rather than from the popular or opportunistic side. The Inter American High Commission, which has sections in each of the countries (Secretary Hoover being chairman of the United States section) has done useful work in bringing about uniformity in various

matters of financial and commercial importance. The Bureau of Foreign and Domestic Commerce of the Department of Commerce has at its head as director Dr. Julius Klein, who began as a specialist in Hispanic American history and economics and who still has a special interest in Hispanic American questions; but even under other auspices the bureau would still have as one of its main interests all economic matters pertaining to Hispanic America.

Last but not least is the press. Our great news associations are developing closer relations with Hispanic American journals, and some of the great press services have Hispanic American subscribers. Direct cables and the development of radio communication have helped wonderfully in this, of course. The success of *La Prensa*, of New York (founded by a Spaniard, a graduate of Harvard), which has direct and regular cable communication with all Hispanic American countries has been striking, and shows the needs along this line. We need more journals devoted to Hispanic America in general to supplement the existing publications dealing with special countries, such as Chile, Mexico, Colombia, etc. The successful French *Revue de l'Amérique Latine* shows what can be done. The Spanish edition of the *World's Work* is no longer published. No American periodical, so far as I know, has followed the lead of the *Berliner Tageblatt*, which publishes a monthly edition in Spanish. We need many more sources of contact such as the press can offer.

To sum up, our record in the matter of cultural contacts, while praiseworthy, is one of promise rather than of actual fulfillment. We have nuclei that are susceptible of infinite development in most of the fields of cultural and intellectual activity. What we need most, and as soon as possible, in my opinion, are the following:

1. The establishment of a number of great centers of Hispanic American culture, possibly modeled on the *Instituto de las Españas* of New York City.
2. The establishment of chairs of Hispanic American history, economics, government, and literature in a large number of institutions of higher learning.
3. A more sympathetic attitude on the part of educational administrators and boards of education toward the inclusion of courses in Spanish and Portuguese in our secondary schools.
4. Definite arrangements for exchange of students and professors on a national scale.
5. Traveling exhibits of Hispanic American art, architecture, painting, sculpture, music, and education.

This is a large program; but it is one that will bring still larger returns in international amity and in human progress. In any or all of its aspects it is worthy of the devoted efforts of all believers in the cultivation of international goodwill.

HENRY GRATTAN DOYLE.

George Washington University.

COMMUNICATIONS

[The Editors accept no responsibility for the communications printed below; and they have taken no side in the subject matter of them. Mrs. Nuttall's first communication was submitted to Mr. Wagner with her knowledge for comment, and his reply, with his knowledge, was submitted to Mrs. Nuttall for comment. Also, with the knowledge of both parties, the discussion ends at this point, so far as THE HISPANIC AMERICAN HISTORICAL REVIEW is concerned.]

To the Editor of THE HISPANIC AMERICAN HISTORICAL REVIEW:

Sir:

In his new work entitled *Sir Francis Drake's Voyage Around the World, its Aims and Achievements*, Mr. Henry Wagner has done me the honor to incorporate in his text the new Spanish material I published in *New Light on Drake* (Hakluyt Society, 1914), singling me out, however, for a criticism of certain of my opinions which differ from his own, but were shared by the late Julian Corbett and are held by other writers on Drake.

As moreover Mr. Wagner makes disparaging statements about me, charging me with making a "mistranslation" and using it "to support her theory" (note 16, p. 485), of making a "misrepresentation" and "false and misleading translation" of a word (note 49, p. 348); and as these charges constitute attacks upon my reputation as an investigator, upon my reliability as a translator, and upon my integrity, I beg you to grant me space in which to demonstrate the character of Mr. Wagner's charges and the fact that it is not I, but he, who made the "false and misleading translation" in question. As a clue to Mr. Wagner's attitude it should be pointed out here that he relates how, having for three years

made in person and through agents in London and Seville a continued search for further evidence concerning Drake's voyage and considering it unlikely that other documents of real value be discovered in the future,

he felt the time had come for him to attempt to reconstruct the voyage and restore the enterprise to "its true status". What he maintains to be the "true status" (notwithstanding evidence to the contrary),

is that Drake's expedition was an inglorious one undertaken "entirely for trading purposes".

He therefore (p. 19) condemns the late Julian Corbett's views (which are also mine) and omitting references to the parts of the writings of Drake's contemporaries which had led this historian and myself to reach independently the same conclusion concerning the aim of the voyage, quotes jumbled extracts from my Introduction; distorts my statements and makes it appear as though I had advocated what it pleases him to call "Mrs. Nuttall's Theory of Drake's Dream".

In my Introduction (p. xxxvii) I twice only made use of this expression, but in different ways. The first time, in referring to Francis Fletcher's statement (*The World Encompassed*, p. 129) that Drake "wished nothing more" than that the people of "New Albion" might "by kind treatment and the preaching of the Gospel be brought to the right knowledge of the true and everliving God", I wrote: "It was Drake's dream the natives . . . might be brought", etc. The second time, while discussing the map I published bearing the inscription "seen and corrected by Drake" and showing a "New Albion" stretching across the North American continent, I conjectured:

It thus appears as though the present occupation of the North American Continent by the Anglo-Saxon races is after all a realisation of what may be called "Drake's Dream".

The reader may judge whether the foregoing justifies Mr. Wagner's imputation in the following sentence (p. 19) which also contains three serious charges:

Not content with the discovery of her Drake's Dream, Mrs. Nuttall attempted to prove that when he sailed from England in 1577, his *greater* object was to found an agricultural colony on the Northwest coast of America, and she even asserted that Fenton's expedition of 1582 set out with a similar purpose. She founded her opinion about Drake's intentions upon a statement made by John Oxenham in his deposition in Lima, February 20, 1579, a chance statement of Drake himself to Silva which she misinterpreted, and an erroneous translation of some words used by San Juan de Anton in describing Drake's cargo.

The above assertion that I founded any opinion upon a single statement by Oxenham, and on a misinterpretation and a mistranslation conveys the inference that my familiarity with the Drake documents I published, as well as my intelligence, were equally limited.

The statement by Oxenham to which Mr. Wagner refers is that Captain Drake had often spoken to him saying that if the Queen would grant him a licence he would pass through the Strait of Magellan and found a settlement over here in some good country.

Mr. Wagner seems to have overlooked the fact that in the depositions of Oxenham and his fellow prisoners, published by me (*op. cit.*, pp. 5-12), there occur other statements which contradict the theory he advocates. For instance, Oxenham also told the inquisitors that, four years previously, a knight named Richard Grenville had applied to Queen Elisabeth

for a licence to come to the strait of Magellan and to pass to the South Sea in order to search for land or some islands where to found settlements because in England there are many inhabitants and but little land.

Oxenham also states that the queen had revoked Grenville's license because she had heard that beyond the Strait there were settlements of Spaniards who might do them harm.

A fellow-prisoner, shipmaster Thomas Xerores, also told of Grenville's buying ships in order to come "and take possession of some land where King Philip had no settlement", adding that "England is so full of people that there are many who wish to go to other parts" and that he had heard of Drake's intention to carry out the same plan.

In my introduction (pp. xxxiii to xxxvi) I moreover quote a series of assertions setting forth Drake's plans, amongst them Silva's relating how Drake produced a map and pointing out a strait situated in 66° North said "that he had to go there . . ." a piece of evidence which, by the way, Mr. Wagner omits as "irrelevant matter" from his "composite account" of Silva's testimony (which includes his log-book discovered by me and translated by Mr. De Villiers and me jointly).

Comment on Mr. Wagner's assertion that I founded my opinion on "a statement" of Oxenham's would be superfluous.

Mr. Wagner's assertion concerning my "misinterpretation" of Silva's words is next in order.

In my introduction (p. xxxv) I translated Silva's declaration that Drake had told him he had come for another object than the seizing of ships. In brackets I gave my interpretation of "another" as meaning "something more" and in the text I interpreted the words

as meaning something "greater". Anyone reading the quotations I give on pages xxxv and xxxvi will, I am sure, agree that my interpretation is justified by Drake's other statements concerning his mission and plans, and by his actual carrying out of the wonderful voyage.

Mr. Wagner does acknowledge (note 49, p. 348) that in my introduction "the translation is correctly made by Mrs. Nuttall as 'another', but in brackets appears her interpretation 'for something more' which in her opinion is equivalent to 'greater'." But in the same note he denounces what he first recognizes as an "interpretation" as a "false and misleading translation". On p. 19 he gives the following, third, version of my statement:

Silva said that Drake has told him that he had come for an "otro" (that is "another") object than seizing vessels . . . Mrs. Nuttall translated "otro" as "greater" or, in another place, "for another".

It is somewhat difficult to know exactly which version to take "au sérieux".

Now for the third and most damaging charge contained in the above sentence, which is reinforced by Mr. Wagner in the following (note 16, p. 485):

The mention by Anton of pickaxes and tools (*herramientas*) mistranslated "agricultural implements" by Mrs. Nuttall, was used by her to support her theory that Drake had the intention of founding a colony in California.

Attention is drawn here to the extraordinary fact that whereas in his sentence already quoted, Mr. Wagner charges me with attempting to prove that Drake's objective was to found an agricultural colony "on the Northwest Coast", he here attributes to me another "theory" that can only be qualified as absurd and ridiculous. I therefore must challenge him to point out a single statement made by me to the effect that the objective of Drake was California.

With regard to my "mistranslation", it must first be explained here that, in one of Anton's statements, recorded in Sarmiento's "Relación", it is said that Drake had given his prisoners "azadones de herramienta y podaderas" (hoes and pruning knives); and, in his own deposition, that Drake had on board "muchos azadones, muchos machetes de rozar y otras herramientas", a passage which I translated by "many pick-axes, many sickles and other agricultural implements" (*New Light on Drake*, pp. 160-173).

Mr. Wagner gives what he terms the "proper translation" of these terms (p. 19) *i.e.*, "working machetes (or working knives—p. 366, note 36) and other tools", and then dogmatizes (p. 366, note 36):

Machetes de rozar cannot possibly mean "sickles" as, in the first place, the Spaniards had a perfectly good word for "sickle", namely *hoz*, and, in the second place, a Spanish sickle bore no resemblance whatever to any kind of machetes; nor do *herramientas* in Spanish mean agricultural implements—the proper and only meaning of the word is "tools".

On page 20 he elaborates:

Even if the implements had been agricultural implements, which they were not, and Drake had really said that he had come "for a greater purpose", which he did not, this would afford little evidence that he intended to use the implements for an agricultural colony. . . .

Space forbidding further quotation of Mr. Wagner's arguments, I will now pass in review the different implements mentioned by Anton, as carried by Drake:

AZADONES: In Sarmiento's text, Anton employs the term "azadones de herramienta", directly associating agricultural implements (hoes or pickaxes) with the term "herramienta", just as my Mexican, Spanish-speaking gardeners refer to our collection of agricultural and horticultural instruments as "herramientas", a word commonly used to describe any kind of tool or implement made of iron (*hierro*) or metal resembling it.

PODADERAS: Pruning-knives, pruning-hooks, or hedging-bills.

MACHETES: Described in Spanish dictionaries as "a kind of large, wide, heavy knife of a variety of shapes". As Anton mentioned "machetes de rozar" before translating them by "sickles" I consulted the *Nuevo Diccionario de la Lengua Española que comprende la última edición de la Academia Española* and found:

ROZAR: "Limpiar la tierra de las matas y yerbas para labrarla", that is, to clear land of plants and weeds in order to cultivate it; and

ROZAR: "La acción y efecto de rozar la tierra", that is, the action and effect of clearing land.

As, from time immemorial, the sickle has been used in England to "rozar" and as Drake carried English wares, I concluded that the best I could do was to translate as I did, and refer to the implements enumerated as "agricultural".

It is now for Mr. Wagner to explain why he translated the perfectly good Spanish "rozar" by "work", and the implement employed "to clear the ground for cultivation" as a "knife for work"!

The question whether it is he or I who is guilty of a "mistranslation used to support a theory", is here submitted to final judgment, as well as my refutation of his charges.

ZELIA NUTTALL.

Coyoacan, Mexico.

To the Editor of THE HISPANIC AMERICAN HISTORICAL REVIEW:

Sir:

As you have been good enough to submit to me the communication from Mrs. Zelia Nuttall, with the request for some comment thereon, I feel it necessary to say a few words, although I do not see that anything is to be gained thereby. The statements to which Mrs. Nuttall takes exception are still to be found in my book, and to them I have nothing to add; the impartial student of the subject will in the end decide whether they were justified or not.

I have to plead guilty to having used the word "California" inadvertently in the note on page 485. Mrs. Nuttall did not say that Drake had the idea of making a settlement there, but only somewhere on the northwest coast. That I believe is the only reference to California in my book in this connection. Just why Mrs. Nuttall should object to the substitution, however, is not quite clear. Plainly, those in California who adopted her views understood that California was to be part of the "New England" of which she spoke.

Referring to the "machetes de rozar", the information which I gave that they were work-knives was obtained from Mr. Richard C. Colt, of New York, who told me that he had been exporting them to the Spanish-speaking Indies for many years under that name.

Mrs. Nuttall states that I omitted from the composite narrative of Silva as "irrelevant" his statement about how Drake produced a map and pointing out a strait situated in 66° North, said that "he had to go there". The natural inference one would obtain from this statement is that I omitted this because although irrelevant to my point of view, it was relevant to hers. I can assure her, however, that she will find it on page 347 in the next to the last paragraph, in the same composite account of Silva, and also on page 41.

HENRY R. WAGNER.

Berkeley, California.

Sir:

After sending you my letter yesterday, it occurs to me that perhaps I misunderstood what Mrs. Nuttall was driving at in her statement to which I refer in my last paragraph of my letter. Perhaps she means to say that I did not state that Silva said that Drake had to go there, that is, to the strait in 66°. I stated several times that Drake had told Silva that he *was* going there. Am I to understand that she is drawing some subtle distinction between such a statement and one that he *had* to go there? In my opinion, of course, as I stated, Drake never had the slightest intention of going there when he made such remarks to Silva, so whether he said he had to go or was going is absolutely immaterial. He tried to make Silva believe that he was going there with the obvious intention, as pointed out in my book, of preventing news of his approaching visit to the Moluccas being sent to the Philippines in advance.

H. R. WAGNER.

To the Editor of THE HISPANIC AMERICAN HISTORICAL REVIEW:

Sir:

Having read Mr. Wagner's letters, I beg to comment as follows:

In answer to my challenge to produce evidence in support of one of his misstatements, Mr. Wagner admits that he "inadvertently" misquoted me, but expresses wonder that I "should object" to his attributing to me a statement I never made.

He omits all reference to the second point referred to in my communication. As the stand he takes with regard to the third and gravest statement he made is as original as it is unique in the annals of historical investigation it deserves attention.

In my book published by the Hakluyt Society, I translated certain words in a sixteenth century document in accord with the dictionary of the Real Academia. In his re-publication of the same document in San Francisco, Mr. Wagner insists that the words have a different meaning and gratuitously accuses me of "having made a mistranslation in order to support a theory".

In refuting this grave charge, I demonstrated that my translation accords with the standard Spanish dictionary while his does not. Mr.

Wagner does not accept the authority of the *Diccionario*. He says instead that his "information" was obtained (concerning sixteenth century Spanish!) from a New York exporter of hardware; states that he has "nothing to add"; and finally appeals "to the impartial student to decide in the end whether his statements are justified or not!"

ZELIA NUTTALL.

Coyoacan, Mexico.

BIBLIOGRAPHICAL SECTION

THE PORTUGUESE MANUSCRIPTS IN THE IBERO-AMERICAN LIBRARY AT THE CATHOLIC UNIVERSITY OF AMERICA

INTRODUCTION

The manuscripts in the Oliveira Lima Collection (Ibero-American Library) are mostly of a diplomatic character, and belonged formerly to the Portuguese Foreign Office Record. They consist both of copies and original documents. Luiz Teixeira de Sampayo, one of the functionaries of the department, in a very recent publication under the title, *Arquivo Historico do Ministerio dos Negocios Estrangeiros* (Coimbra, 1926), explains how the original documents are to be found elsewhere than in their proper archives.

In 1869, the secretary of state, Mendes Leal, reorganized his department, and the archivist, or curator, Julio Firmino Judice Biker, well known for his historical researches, and especially for his compilation of the Supplement to the *Collection of Treaties* by Borges de Castro, resented being placed on a lower level than the secretary-general. He practically abandoned the foreign office, and worked at home, carrying with him the volumes of State Papers which he needed. The archives were at that time in a condition of absolute disorder: no indices, no catalogues, no inventories. So it was extremely easy to have the boxes of documents removed. A part, in fact, had meanwhile been transferred, and more continued to be transferred, to the Torre do Tombo, or General Record Office. Previously, the earthquake of 1755 had been responsible for the destruction of many collections, which in 1736 had been received from the old Secretaria de Estado.

Many years after, Biker retired, having received his legal pension. When he died, his books and manuscripts were sold at auction in 1899. One appendix to the catalogue mentions some twenty volumes of original diplomatic documents which were not described in the catalogue itself, because they were on the point of being sold to the state.¹ Negotiations for such purpose eventually took place, but with no result. Some of those papers were acquired by the National Library of Lisbon, and others by booksellers of the same city, from the

¹ Sampayo, p. 26.

latter of whom Dr. Oliveira Lima later on bought those in the Oliveira Lima Collection.

Some of the unpublished diplomatic memoirs had been a part of private libraries of aristocratic scholars of the eighteenth century who, like Count de Ericeyra, possessed splendid bibliographical collections. For instance, the memoirs of the Congress of Utrecht by Dom Luiz da Cunha belonged to the House of Vallada, and the memoirs of Salvador Taborda Portugal, to the House of Murça. The manuscripts and notes concerning them follow.

I. DIPLOMATIC PAPERS, OFFICIAL AND PRIVATE, OF THE SEVENTEENTH AND EIGHTEENTH CENTURIES

Memorias dos successos mais notaveis, que accontecêrão em Europa, e nas mais partes do mundo, desde o anno de 1678, até o de 1689. Por Salvador Taborda Portugal, enviado de Sua Magestade Portugueza o Sor. Rey D. Pedro II, á Magestade Christianissima de Luis XIV . . . Copiadas na cidade de Lisboa no anno de 1803.
10 vols., 29 1/2cm.

Salvador Taborda Portugal succeeded in Paris, Duarte Ribeiro de Macedo, and remained there as Portuguese representative for thirteen years, dying in 1690. He was a doctor in Civil Law, and a member of the highest court of justice in Portugal (*Desembargador da Casa da Supplicação*).

Innocencio da Silva² calls these memoirs "curious", and says, as the author himself wrote, that they were not destined to be published, but to remain in the king's office and inform him with greater accuracy and detail than the official letters addressed to the secretary of state. His intention was to connect the events which occurred in France with the historical world series of events. Several copies were to be found in private Lisbon libraries, and one exists in the British Museum.³ The copy in the Oliveira Lima Library was originally in the library of Dom Miguel Antonio de Mello (1766-1836), first Count de Murça, a member of the Portuguese Chamber of Peers in 1826, one year before, secretary of the treasury, and formerly governor of Angola, and of the Azores Islands. Murça was interested in the organic reform of the Portuguese constitution. The copy in the British Museum (Additional Manuscripts, nos. 15184 to 15187), is in four quarto volumes, divided into twelve books, and covers the years 1677 to 1688. Barbosa Machado⁴ also mentions twelve books covering the period of 1677 to 1689, and refers to the elegant style of the Memoirs.

Salvador Taborda Portugal was born in Penamacor (Beira), and came from a family of magistrates. Considered a clever man, he followed the judicial career

² *Diccionario bibliographico portuguez*, VII. 195.

³ Fignière, *Catalogo dos manuscritos portuguezes existentes no Museu Britannico* (Lisboa, 1853), p. 289.

⁴ *Bibliotheca Lusitana*, III. 671.

until his diplomatic selection, and had just been transferred to Rome in the same character, when he died. How he judged diplomacy may be inferred from his saying that "good faith dwells in but few mansions".

There is a second title to the work, after the dedication to the king. This is as follows:

Memorias dos successos que accontecêrão em França, e na maior parte da Europa, no tempo que assisti naquella Corte, com a occupação de Enviado do Serenissimo Principe Regente, depois Rey Dom Pedro 2º. Nosso Senhor, a ElRey Christianissimo Luis XIV.

This indicates that the Memoirs refer especially to France, and the French mission of the author. We must, however, not forget that in the reign of Louis XIV., France was the paramount power in Europe, and consequently the center of all political development. The famous Bourbon king carried war everywhere around him; was a Napoleon with intervals of peace, and tried to make of his dynasty the focus of intrigue and predominance.

The work is nearly complete, or better said, three different copies make it so. Two, especially, are in very good calligraphy. In one, bound in old calf, in seven volumes, are to be found Books I to XII, with the exception of Book VI (1683). In another, bound in old parchment with tie strings, Books I to IV. The third, in two volumes, bound in boards, has Books VII, VIII, IX, X, XI, and XII.

Cartas e negociações de Jozé da Cunha Brochado na sua ultima missão na Corte de Hespanha, em qualidade de primeiro Plenipotenciario d'El Rey D. João o 5º.

118 leaves; 30 1/2cm. With the stamp of J. Biker.

This mission had for its purpose the negotiation of the betrothal of the heir apparent, the future King Joseph, with the Princess Maria Victoria de Bourbon, daughter of the King of Spain. Innocencio^s speaks of a copy with 96 leaves, but this one has 118 leaves. The letters, fifty in number, dated from Segovia, Madrid, and the Escorial, between June and October, 1725, were addressed to Diogo de Mendonça Corte Real, Cardeal da Cunha, Marquis d'Abrantes, D. Manoel Caetano de Souza, Conde da Ericeyra, and André de Mello e Castro. They are followed by State Papers, relating to the mission, and two letters exchanged with Marquis de Grimaldi, Spanish secretary of state, about the territory of the Colonia do Sacramento in 1720.

José da Cunha Brochado (1651-1733), was a successful diplomat, and also an academician. He first accompanied to Paris in 1695, as secretary to the embassy, the Marquis de Cascaes, and was accredited as envoy to France from 1699 to 1704, when he was transferred to London and served there from 1710 to 1715. He was even sent with the understanding that he should be ready to leave for Utrecht in the character of second plenipotentiary in case of D. Luiz da Cunha's forced absence. He remarked to the King that: "if he was not given the honor of the great ministers who wisely concluded the treaties of peace, he was at least able to grind the colors with which they were painted". His correspondence com-

^s *Diccionario bibliographico portuguez*, IV. 301.

pletes the Memoirs of D. Luiz da Cunha. The first plenipotentiary was the Count de Tarouca. As director and censor of the Academy of History, afterwards united to the Academy of Sciences, Brochado wrote essays and speeches. Only a very small part of his diplomatic writings were published in the *Investigador Portuguez*, but were to be found in manuscript copies, more or less complete, in several private Portuguese libraries of the eighteenth century. Brochado received several dignities and honors. He was a Knight of Christ, a nobleman of the Royal Household, a member of the king's council, and a chancellor of the military orders.

The Oliveira Lima Collection possesses also copies, bound in old calf, from the Biker sale, of the "Cartas e negociacoes na Corte da França (1699-1704)", in two volumes, and "Cartas e negociacoes na Corte de Gram Bretanha".

Another copy of the Negotiations in Madrid is joined to his Negotiations of London. The British Museum possesses a copy of it (Additional Manuscripts, no. 15174).

The British Museum also possesses a modern copy (Figanière, p. 288), of the letters from London (Additional Manuscripts, no. 15182), and a modern copy* of the anecdotal memoirs of the Court of France (Additional Manuscripts, no. 15588), which is different from the above mentioned letters from France. Figanière was inclined to think that it is the same work, but in fact it is not so. The anecdotal memoirs seem, however, to be identical with the "Discurso Politico", to which Innocencio refers†.

The two volumes of the copy of the Letters from France, in the Oliveira Lima Collection, have respectively 230 and 242 numbered leaves. In the volume of Letters from London, we find, besides the correspondence addressed to Diogo de Mendonça Corte Real, secretary of state, letters sent to Count de Vianna; Count de Monsanto; Count de Assumar; D. Fernando de Noronha, and others. The index of the Letters from Spain (this part of the copy is in a different handwriting), is very detailed, giving even a summary of each letter. The Oliveira Lima Collection is complete regarding Brochado's unpublished works as enumerated by Barbosa Machado in the third volume of the *Bibliotheca Lusitana*.

Under the binder's title of "Manuscritos de Brochado", a volume of 330 numbered leaves (various pagings), 35 1/2cm., written in a very beautiful hand of the end of the eighteenth or beginning of the nineteenth century, are included: a description of England, 33 numbered leaves; a description of France, 10 numbered leaves; and other notes of an historical and political character (58 numbered leaves), compiled for the collection of treaties of peace, which Brochado intended to collect and translate into Portuguese.

* Figanière, *ut supra*, p. 312.

† Innocencio, *ut supra*, IV. 301.

Teixeira de Sampayo says in his description of the historical record of the Portuguese Foreign Office, that to his knowledge there exist no traces of any preliminary work done by Brochado for the collection of treaties entrusted to his ability. These notes were, however, evidently collected for such a purpose.

In the same volume, we find his anecdotal memoirs, and another copy of the Letters from France, England, and Spain. Such letters—official letters, so to speak, not private ones—are most important for diplomatic history. Heatley highly recommends their perusal in order “to ascertain what the official dispatches partially or deliberately concealed”. They are less formal and yet they are a part of the negotiations. Several British secretaries for foreign affairs (Lord John Russell, for instance), assert their absolute necessity. The only objection, pointed out by Lord Stratford de Redcliffe, is when the two correspondences, the formal official and the less formal one are contradictory, or when one refers to subjects which are carefully omitted from the other. A correspondence opposed in its nature or essence ought not to exist. It leads to what happened in France in the eighteenth century, when there was the so-called king’s diplomacy, independent from, when not opposed to, that of his minister.

The letters of Brochado are, however, the indispensable commentary of his dispatches, with witty remarks which would not be becoming in the formal state papers.

The correspondence of Brochado is in a certain way supplemented by that of D. Luiz da Cunha (1662-1740), the most renowned Portuguese diplomat of the end of the seventeenth and beginning of the eighteenth centuries, recognized abroad by his foreign colleagues as an authority on international relations, and so highly respected by his own countrymen, that a Frenchman said he was considered by them to be “a fifth gospel”. The Oliveira Collection possesses a copy in four volumes, in the handwriting of the time, and bound in old calf, of his hitherto unpublished memoirs, under the title:

Memorias de Dom Luis da Cunha Ministro que foi de sua Magestade o Snr. Rey D. Pedro, e D. João 5º. na Corte de Londres. . . . Conthem a cauza da guerra de 1702, e os seus progressos athé a morte do Snr. Rey D. Pº. Escritas em Utrecht a 20 de Julho de 1719.

4 vols., 563, 906 [i.e., 816], 617, 462 p., 32cm.

The word “memoirs” must not be taken here in its modern sense. It does not mean personal reminiscences, but rather impersonal political matter. Dom Luiz da Cunha’s memoirs refer to a half-century of European history, preceding the Congress of Utrecht, in which he had a seat. Naturally they refer to the subjects of Portuguese interest which were dealt with in that famous diplomatic conference. We must remember that Portugal was at that time a vast monarchy, embracing half of South America, most of Africa, and with possessions in Asia. Baron Rio-Branco often quotes these memoirs in his admirable defense of Brazil’s rights, inherited from Portugal, to the region of the Guianas in dispute with

France. The acknowledgment of the Brazilian northern boundary was effectively made in the diplomatic instruments issued from that congress, which regulated the succession to the throne of Spain, and thus provoked a general conflagration in Europe.

The memoirs of D. Luiz da Cunha are complete, as they begin in the year 1659, that is, in the year of the so-called peace of the Pyrenees between France and Spain. They correspond exactly to the copies existing in the British Museum, under numbers 15587, 15178, and 15179 of the Additional Manuscripts. The first two volumes refer to the military events previous to the congress. The third gives the daily discussions between the plenipotentiaries, and the fourth deals with topics of international law suggested by the treaties there celebrated. Thus, the memoirs of D. Luiz da Cunha have nothing in common with the witty and piquant memoirs, for instance, of the Duke de Saint Simon. They have a dignified feature which is not even broken by anecdotal incident. They are the work of an academician, rather than anything else, although he was a complete diplomatist, cautious in his affirmations, somewhat diffuse in his arguments, and a little pedantic in his character, taking his duties very seriously, and giving grave expression to his practical ideas.

Precious items from the Biker papers are the *original* dispatches from Diogo de Mendonça Corte Real, between the years 1706-1713, 2 volumes, unnumbered, 32 1/2cm; and the *original* papers from the embassy in Rome of André de Mello e Castro, from 1710 to 1718, 3 volumes, unnumbered, 32 1/2cm.

Diogo de Mendonça Corte Real (1658-1736), a doctor in both canon and civil law, from the University of Coimbra, was secretary of state under King João V., after having been secretary of justice (Mercês), under his father King Pedro II., and before that, a magistrate in the city of Oporto. From 1691 to 1693, he was sent to Holland in a difficult diplomatic mission regarding reciprocal prizes and indemnities, and was Portuguese representative in Spain until 1703, when the War of Succession broke out. As an official adviser and minister near the sovereign, he directed the negotiations concluded at Utrecht, avoiding the risk of Portugal's neglect by its enemies, and not less by its allies.

The history of this congress, one of the very few which have remodeled the whole political structure of the world—as resulted also from the Congress of Westphalia (1648), the Congress of Vienna (1815), and the Congress of Versailles (1919)—cannot be completely written without perusing all the documents belonging to the Biker “fonds”, now at the Catholic University of America. We must bear in mind that if Portugal was no longer a factor in the general development of the European policy, it was still territorially one of the most extensive powers on earth, and that at least two burning questions of domain in South America—the geographical location of the Oyapok River, and the River Plate as a natural boundary, on the eastern coast between the Portuguese and Spanish empires—were settled there.

As an accessory to the diplomatic negotiations of the time, the other three volumes of state papers are of importance. André de Mello e Castro, Count das Galveias (1668-1753), followed first the ecclesiastical life, and was dean of the Ducal Chapel of Villa Viçosa, the family mansion of the Braganças. In 1711, he resigned the clerical life and was appointed, first envoy extraordinary, and in 1718, ambassador to the Holy See, living in Rome during the pontificates of Clement XI., Innocent XIII., and Benedict XIII., and being there a faithful agent of King João V.'s sumptuous aspirations and wishes.⁸ In 1732, he was appointed governor of Minas, and in 1736, Viceroy of Brazil, returning there after in 1750.

His grandson, Martinho de Mello e Castro, was a very successful diplomat near the end of the eighteenth century.

Many of these dispatches from Diogo de Mendonça Corte Real are addressed to the Count de Assumar (1663-1733), son of a viceroy who died in Goa, and a descendant of the famous D. Francisco de Almeida, first viceroy of India. Assumar had been appointed ambassador near the Archduke Charles, when this Hapsburg prince, later German Emperor or Sovereign of the Holy Roman Empire, fought for the crown of Spain against the Duke d'Anjou, grandson of Louis XIV. Fulfilling his mission, Assumar lived for some time in Barcelona, where the Archduke resided. His son was made Marquis d'Alorna.

Still more valuable—a true treasure indeed—is a thick volume, bound in old calf, with the binder's title of:

Cartas particulares de D. de M. C. R. Secretario de Estado. Desde o anno de 1713 até 1725.

302 letters, 23 1/2cm.

These 302 *original* private, autograph letters of Diogo de Mendonça Corte Real, still with their broken wafers, are addressed to D. Luiz da Cunha—"my friend of my heart" (meu amigo do meu coração)—whilst ambassador to Paris, and they not only offer a most delightful reading for any scholar, but they must be really useful to the historical research worker, containing the inside view of the Portuguese diplomacy of the time, what the French call "les coulisses de l'histoire politique".

Three hundred and two letters constitute, in fact, a large repository of curious information, when from the pen of a man like Corte Real, known for his wit. Rebello da Silva, the excellent historian, wrote in the *Panorama*⁹, a short essay, in which that statesman is highly praised for his integrity, his patriotism, and his sense of humor. He had a cunning way of making the king believe that the minister's suggestions were the sovereign's own ideas, so making him renounce his presumptuous impulses; and toward office seekers, he also showed a courteous, never aggressive manner, even when denying their requests.

⁸ See *Bibliographical and historical description of the rarest books in the Oliveira Lima Collection at the Catholic University of America*, compiled by Ruth E. V. Holmes, Washington, 1927, num. 119, p. 199.

⁹ XII. (1855).

Corte Real was a party to all the political events of his time in his country. Brochado's mission to Madrid in 1725 was conducted by him, and led to another betrothal of the Prince of Asturias, heir apparent of Spain, afterwards King Ferdinand VI., to Infanta Barbara de Bragança, which turned out to be a love match besides a dynastical one ("dynastical" meaning "political").

Both Diogo de Mendonça Corte Real and D. Luiz da Cunha were among the remarkable intellectual minds of their age, yet comparatively little is known of their ideas. Those of the secretary of state are all concentrated in his correspondence, but those of the ambassador found their written expression in some detached papers, of which only one has been fully printed. The voluminous autograph correspondence referred to, possessed by the Oliveira Lima Collection, took place after the Congress of Utrecht. D. Luiz da Cunha continued to be active in public affairs until his death at the advanced age of eighty-seven, which he was able to reach with comfort, thanks to the good care of his physician and friend, Ribeiro Sanches, one of the most distinguished Portuguese of the eighteenth century (1699-1783), whose adventurous life did not prevent, but rather helped, his scientific achievements.¹⁰

Of D. Luiz da Cunha, the Oliveira Collection possesses, besides the inedited memoirs, several writings in manuscript copies, often quoted, but so far not published. A very important one is the following:

Maximas sobre a reforma da agricultura, commercio, milicia, marinha, tribunaes, e fabricas de Portugal representadas, e dirigidas ao Serenissimo Senhor Dom Joze, Principe da Beira, Augusto filho do Senhor Rey Dom João V. Por Dom Luiz da Cunha, Embaixador em França.

71 unnumbered leaves, 21 1/2cm.

This is the so-called "Testamento Politico" (political will), inserted in the *Investigador Portuguez*, separately reprinted in 1820, and reproduced by Antonio Lourenço Caminha, a professor of rhetoric, and functionary in the Public Library of Lisbon, who died in 1831, and who, although a laborious compiler, was blamed for not being scrupulous enough as an editor, calling unpublished what had been published, and even adding things of his own. Caminha intended to publish all the productions of D. Luiz da Cunha, whom he pointed out as a great exponent of statesmanship, and whom Pombal called his teacher. Only one volume appeared, however, in 1821, the second being prevented through the official censorship of Father José Agostinho de Macedo, one of the most virulent and indecent writers in the Portuguese language.

Innocencio¹¹ thinks that this is the only paper from D. Luiz da Cunha, of any considerable importance, he might add, that has ever been published. In the same volume with the "Maximas sobre a reforma" . . . we find two other essays, namely:

¹⁰ See *post*, references to this savant when treating of his manuscripts.

¹¹ *Ut supra*, V. 282.

Carta escrita de Paris em que se referem os modos com que Portugal pode florescer e se expõem o que succedeo a Pedro Alvares Cabral na Corte de Madrid, com a prisão dos seus criados; e as negociações sobre o accommodamento desta disputa, e se tocão os interesses de Portugal arespeito de Hollanda, Inglaterra, França, e Hespanha, e sobre a admissão dos Judeos, e a controversia que houve sobre darem os Embaixadores Ex^a. aos Secretarios de Estado, e fazerem-lhe a primeira vizita. Por D. L. da C.

110 unnumbered leaves, 21 1/2cm.

Instrução politica, composta no anno de 1737.

254 numbered leaves, 22 1/2cm.

There are two old copies of the latter in the Oliveira Lima Collection, one from the library of José da Silva Costa, and with the ex-libris of Julio Firmino Judice Biker. The *Instrução* was meant by the author for Marco Antonio de Azevedo Coutinho, his intimate friend, when the latter was appointed by King João V., secretary of state for foreign affairs and war in 1736, and was sent with a preliminary letter to his nephew, also named D. Luiz da Cunha. The other copy has 236 pages (26-1/2cm.).

Of the *Instrução*, there is a third copy in the Lima library, but it is "bowdlerized", and D. Luiz da Cunha explains the reason why, in a preliminary note. He says that after having written it at the request of Marco Antonio before leaving Holland, he thought that it would perhaps not be convenient to send it, because it was too outspoken. Trouble might ensue, not for him, who was old and nearing his end, but for his friend who was only starting his career. After all, no version of the paper was sent to Marco Antonio, but his nephew received both, first in the condensed form, and then in the complete one, with a letter of explanation that precedes the two other copies existing in the Catholic University. The third copy has 156 pages, 3 unnumbered leaves, 37cm., and marginal notes. There is a copy in the British Museum.²³

The "Carta escrita de Paris" was still addressed to Diogo de Mendonça Corte Real, as that diplomatic incident occurred in 1735, and the secretary of state died the year after. D. Luiz da Cunha was authorized to spend two million cruzados (four million francs), for the settlement of the dispute, but he only spent 140,000 cruzados, although admitting that Spain, whose officials of justice had been disrespected by the Portuguese ambassador, was right.

Another volume in the Oliveira Lima Collection with the stamp of J. Biker (167 unnumbered leaves, 24cm.), has no title, and is composed of copies of letters addressed in 1709-1710, from London, to Diogo de Mendonça Corte Real. They are probably letters from D. Luiz da Cunha.

²³ No. 15181 of the Additional Manuscripts.

Cartas, que escreveo, servindo no Gabinete do fidelissimo Senhor Rei D. João 5º. Alexandre de Gusmão. E algumas a elle escritas. Seguidas de huma notavel carta de D. Luiz da Cunha, embaixador em França, para Diogo de Mendonça, Secretario de Estado do dito Sñr. Rei. E calculo, que ao mesmo Sr. offereceo o dito Alexandre de Gusmão, sobre a perda do dinheiro do Reino.

35 unnumbered leaves, 21cm.

Among these letters are a number exchanged between D. Luiz da Cunha, and another very distinguished Portuguese savant of the eighteenth century, Alexandre de Gusmão, secretary to King João V., an American, as he was born in Brazil (1695-1753). Gusmão, not only followed in Europe, especially in Paris, the best theoretical and practical diplomatic studies, but was himself entrusted with several negotiations at home and abroad, being accredited for seven years as envoy in Rome, and interpreting at Lisbon, on various occasions, the royal thought on matters of foreign intercourse.

Gusmão considered the boundary treaty of 1750, between the crowns of Spain and Portugal in the new world, his master work of diplomacy. The chief feature of that treaty was the cession to Spain of the stubbornly-disputed Colonia do Sacramento (Uruguay), for the vast territory in the hinterland of South America added to Brazil by the dashing explorations of the *Bandeirantes* in search of gold, precious stones, and slaves.

Two collections of Gusmão's papers were printed at Oporto, in 1841 and 1844 respectively. These contain especially, the reasons and explanations for his treaty of 1750.

Under a paper cover in the same collection of letters there are, together with other autographs, six original letters from Diogo de Mendonça Corte Real, to the Marquis de Alegrete, a member of the council of state.

Another volume with copies of Gusmão's correspondence is mentioned under number 140 (p. 230) of the *Bibliographical and Historical Description of the Rarest Books in the Oliveira Lima Collection* (Washington, 1927). This volume is entitled:

Cartas de Alexandre de Gusmão, Ministro de Estado particular de S. Magde. Fidelissª. O Senhor D. João 5º.

86 unnumbered leaves, 21cm.

This volume also belonged to the Biker collection, and comprises thirty-one letters, most of them of an admonitory character, addressed to several persons: the Archbishop of Braga, a recognized son of King Pedro II.; Marquis d'Alorna, viceroy of India; Count d'Unhão, governor of Algarve, and other authorities; also friendly letters to foreign representatives and to a few countrymen like D. Luiz da Cunha and Martinho Velho.

With no title-page, but with the binder's title of "Collecção de Cartas", there is another volume of 545 leaves, 22 1/2cm., composed entirely of copies in several handwritings, from Alexandre de Gusmão to the above mentioned persons and several other high government officials, and to various members of the nobility, of the judiciary, and of the academic world. Some of the letters are the same as the ones contained in the previous volumes, but a great many are different. A modern index attached to the volume gives a list of all this correspondence.

Portuguese diplomacy had to be active in the second half of the seventeenth century, the secession from Spain having occurred in 1640, after sixty years of dualism, in which Spain naturally played the preponderating role. France helped in everything that was bound to lead to the dissolution of the colossal Spanish empire, but its help was not always substantial enough to be efficient, and French diplomacy was at times inclined to forsake its ally's rights and aspirations, yielding to peace with the common foes.

The Oliveira Lima Collection includes three volumes regarding that period during which Portugal tried very hard to obtain the acknowledgment of its sovereignty.

The first (no title-page, 119 unnumbered leaves, 34cm), refers to the first embassy to Holland, and includes a number of state papers concerning the Portuguese diplomatic action, not only in Holland, but also in other countries, including England, France, Savoy, and Venice. An index is attached to the volume, which a penciled hand note calls "livro de grande estimação"—a book of great value.

Tristão de Mendonça, the envoy, had taken a part in the reestablishment of Portuguese independence. His mission was to conclude an armistice of ten years, and to determine the subsequent conditions of a permanent peace, which would amount to an offensive alliance against Spain. The treaty as signed gave certain economic advantages to Holland in the way of commercial freedom, and especially the concession to the latter to keep the territorial conquests made during the union of Spain and Portugal.

The two other volumes consist of letters. One of them¹³ has the title:

¹³ Described under No. 173 (p. 268) in the *Bibliographical and Historical Description of the Rarest Books in the Oliveira Lima Collection at the Catholic University of America*.

Cartas de Francisco de Souza Coitinho. Inviado que foi, e Embaxador em varias cortes da Europa.

223 p., 20cm.

None of the representatives of the new Bragança dynasty exceeded Francisco de Souza Coutinho (1597-1660), in intellectual resource and industry. During the Spanish régime he had lived in Madrid as an agent of the Duke de Bragança's interests, and when the latter became King João IV., Coutinho was sent on diplomatic missions to Denmark and Sweden, signing at Stockholm a treaty with the famous Oxenstiern. He was afterward appointed envoy to Holland, the most difficult post for a diplomat of his country at that moment.

Holland rejoiced in the restoration of Portuguese nationality, but was unwilling to give back the Portuguese colonies that had been conquered as belonging to the king of Spain. The ambassador had, at the same time, to negotiate an alliance with the Dutch, and to prevent them from quelling the Brazilian rebellion, aided by the Portuguese authorities in Bahia against the West Indies Company. His mission occasionally reached a dramatic apex, and in order to avoid an imminent war, Coutinho had to renounce Pernambuco, which was only recovered through local endeavors.

The third volume is the following :

Cartas a suas Magestades. Anno 1661. Do Conde da Ponte.

117 unnumbered leaves, 20 1/2 cm. with the stamp of J. Biker.

This consists of copies, contemporary with the originals, of the letters of the Conde da Ponte, Marquis de Sande a diplomat with real scientific attainments in astronomy, mathematics, and geography. As colonel of one of the Portuguese regiments (*terços*), he participated in the victory of Montijo, the first in the protracted twenty-six years war between Portugal and Spain, and was for eight years governor of Olivença. Sent as envoy near Richard Cromwell, he was at the restoration of the Stuarts accredited near Charles II., and negotiated in London the betrothal of this English king to Infanta Catherine de Bragança, a Catholic princess, not properly a beauty, but with a rich dowry, which included two million cruzados, which it is said were never paid, and Tangiers and Bombay, besides the freedom of commerce in India and Brazil.

The letters date from the very year of the negotiations (1661), and the royal wedding took place in May, 1662. The Conde da Ponte was also the negotiator of the betrothal of his own king, Alfonso VI., to a French princess, of Nemours and Aumale (1666). The letters regarding the Stuart-Bragança wedding were published by Rebello da Silva in the *Quadro Elementar das Relações Políticas e Diplomáticas de Portugal*.¹⁴ It will, however, be interesting to ascertain how much this copy agrees with the published version.

In ordinary diplomatic correspondence, we may not discover new historical facts, as most of them are already known; and still less, secrets of state, as most of them are already revealed; but we are apt

¹⁴ Vol. XVII.

to understand the personalities of the negotiators, and will find a pleasant task in making ourselves familiar with their style, in going through their respective ways of appreciating the turn of events and of exposing the political ends of the courts near which they were accredited. Dispatches and letters do not contain the flame of revolutionary pamphlets, but they sometimes possess a subtle and suggestive literary taste. Diplomacy is, above all, an art, if not of concealing the truth, at least of adapting international fiction to national realities.

II. GENEALOGY

Fidelino de Figueiredo writes¹⁵ that in the first period of the middle ages, historical science presents three aspects: the *chronicones*, or series of *ephemerides*, in the Latin language, enumerated in chronological order, of which several are to be found in the *Portugaliae Monumenta Historica*; the ecclesiastical pieces, including hagiography, mostly in Latin also; and chiefly the genealogical books, or *nobiliarios*, establishing the ties of relationship in view of marriage, confirming the right of patronage concerning the religious foundations, and the right of preference in case of sale, or simply giving ground to nobility claims. The *Livro das Linhagens* of the Count de Barcellos, in the fourteenth century, is still famous, and one of the last, if not the last, is the one existing in the Oliveira Lima Collection, under the title:

Nobiliario de familias de Portugal, composto pelo insigne, e incomparável Joze Freire Monterroyo Mascarenhas, e original da sua propria letra. . . .

10 vols., 32 1/2cm.

This nobiliary is mentioned in Barbosa Machado,¹⁶ among the unpublished works of the author, who was a very prolific writer. José Freyre de Monterroyo Mascarenhas (1670-1760?), belonged to many literary associations of his time—the famous academies of the eighteenth century—and developed his culture by traveling extensively for ten years in Europe. He also fought as a captain of cavalry in the war of succession, and was the first to introduce to his country, the newspaper, as first imagined in France by Renaudot. For more than forty years, he edited the *Gazeta de Lisboa*, and published political events from home and abroad in small tracts, both historical and geographical. His work of predilection was, however, genealogy, and in this matter he is acknowledged a great authority.

¹⁵ *Historia de la Literatura Portuguesa*, Editorial Labor (Barcelona, 1927).

¹⁶ *Biblioteca Lusitana*, II.

The volumes in the Ibero-American Library are said to be the originals in the author's handwriting. In the British Museum, there are only the pages about the family Brandão.¹⁷

III. INDIA AND BRAZIL

Breve tractado, ou Epilogo de todos os Viso Reys que tem havido no Estado da India, successos, que tiveram no tempo de seos governos: armadas de navios, e galeoens que do Reyno de Portugal foram ao dito Estado, e do que succeden em particular a algumas dellas nas viagens, que fizeram. Feito por Pedro Barreto de Rezende, secretario do Senhor de Linhares Viso Rey do Estado da India no anno de 1635.

302 numbered leaves, 12 unnumbered leaves, 30cm.

The author was secretary of the government of India, and died in 1651. Innocencio da Silva¹⁸ mentions these historical treaties as having been omitted by Barbosa Machado¹⁹ in the list he gives of the unpublished works of the writer. Innocencio adds that the original belonged to José da Silva Costa, according to what this one affirms, and that there existed in 1840, a folio copy of it, beautifully illustrated, in the library of Richelieu in Paris.

The copy in the Oliveira Lima Collection contains a genealogical tree of the Count de Linhares, and from leaf 70 to the end, the description of the towns and fortresses of East India, starting from the Cape of Good Hope and Sofala, and going as far as Java and China. The work is evidently the same as that included in the collection of Sir Hans Sloane, the founder of the British Museum. Figanhière describes it,²⁰ and informs that it bears the signature of Francis Parry, British minister to Lisbon from 1676 to 1680, who must have carried to England what is most probably the original. Barreto de Resende must have composed the first part (historical) in 1635, and the second (geographical) in 1646. The portraits of the viceroys (forty-four of them) are illuminated in the copy belonging to the British Museum, the last being that of D. Miguel de Noronha, Conde de Linhares. There is a plan, so to say, on each leaf.

The copy in the Oliveira Lima Collection has bound with it a manuscript and illustrated edition of twenty-one pages, with short descriptions of the principal points drawn, under the title:

Roteiro da navegação do Rio da Prata feito e expermentado pelo Capp^m. Vicente Duram.

Vida de Mathias de Albuquerque.

¹⁷ Additional Manuscripts, no. 15189.

¹⁸ *Diccionario bibliographical portuguez*, VI. 396.

¹⁹ *Biblioteca Lusitana*.

²⁰ No. 197, p. 162 of his *Catalogo dos manuscritos portuguezes*.

451 p., 9 unnumbered leaves; 30-1/2cm.

Mathias d'Albuquerque was viceroy of India from 1591 to 1596, when Portugal was under Spanish control, and the Philips reigned over both countries. He had won fame as a warrior in Malacca, Ormus (Persia), and Ceylon, and he tried his best to correct the abuses in administration and the demoralization of life, only to be intrigued against in court.

Observacoes sobre a fortificação da Cidade da Bahia, e Governor do Arsenal, pela Intendencia da Marinha e Armasens Reaes. Ordenada por Domingos Alvares Branco Moniz Barreto, Capitão de Infantaria do Regimento de Estremoz.

45 unnumbered leaves; 25cm.

Copy written in a very beautiful hand of the period, of an essay written in the second half of the eighteenth century.

The son of the author was a very distinguished officer and author, who took a decided part in the movement of the independence of Brazil, and proposed in the masonic Grand Orient, that the title of emperor, and not that of king, be granted to Dom Pedro.

Livro de Resisto das cartas que o Ex^{mo}. Sr. Conde de Assumar Dom Pedro de Almeyda escreveu a S. Mag^{de}. que D^s. g^{de}. sendo Gov^r. e Capitam General da Capitania de S. Paulo e Minas.

92 unnumbered leaves, 34 1/2cm.

Dom Pedro de Almeida, third Count de Assumar and first Marquis de Alorna (1688-1756), was governor of Minas Geraes and São Paulo, before being viceroy of India. He distinguished himself as a commander in the War of Succession; left for Brazil in 1717, and cruelly suppressed a riot in Villa Rica.

Index cronológico das leys, alvarás, cartas regias, decretos, avizos e provizoens que se expedirão para a Provedoria e Junta da Real Fazenda da Capitania de Minas Geraes. Feito pelo Dezembargador Francisco Gregorio Pires Monteiro Bandeira, Intendente do Ouro de Villa Rica e Procurador da Real Fazenda da Capitania de Minas Geraes, em observancia da Provizão do Real Erário de 25 de Agosto de 1770. Ao Ill^{mo}. e Ex^{mo}. Sen^r. Marquez de Ponte de Lima, Mordomo Mór, Ministro e Secretario de Estado da Repartição da Fazenda assistente ao Despacho & &

76 unnumbered leaves, 21 1/2cm.

This volume, bound in red morocco with gold ornament, contains a resumé of all the finance legislation of Minas Geraes in the eighteenth century.

IV. MISCELLANEOUS PAPERS

Amongst the miscellaneous papers in the Lima collection, there are five thick volumes containing hundreds of documents, which would require too much space to be enumerated in detail in this notice.

The first of these volumes originally belonged to Judice Biker, the late archivist of the Portuguese Foreign Office, who wrote a note in it saying that it was bought by him at the sale of the library of Count de Lavradio, in June, 1876. It has no title, is bound in old stamped calf, with 362 leaves, and an index contemporary of the compilation (30cm.). The papers, dating from the beginning of the reign of King João V., are extremely varied in subject, relating to acts of the sovereign and of his ministers, their advice on many subjects of the government, and events of the court and of the public administration. They are a depository of information without any connection, each one dealing with a different subject.

The second volume, of 424 leaves, and index of three leaves (31 1/2cm.), contains many curious, and some even valuable, documents, mostly original, such as letters from the Duke de Bragança written from his mansion, Villa Viçosa, before the House of Bragança occupied the throne of Portugal, and from other royal and noble persons. They relate to court government and current topics, and constitute in any case, a valuable collection of autographs. Of course, the value of such documents in a miscellaneous collection is varying, but every one of them may have its particular interest on a given matter.

The third volume is entitled:

Papeis varios sobre importantes materias collegidos por A. L. C. Anno de 1789.

434 num. leaves, 3 unnum. leaves, 30 1/2cm.

On the cover appears "No. 270 . . . Pe. Vieira". The ex-libris says: "Da Biblioteca de Historia Nacional, e bellas Letras de Antonio Lourenço Caminha". Its copied documents deal entirely with the converted Jews (*Christãos Novos*),²¹

²¹ See Lucio d'Azevedo, "*Father Vieira*" and "*Christãos Novos*". and were originally the work of Father Antonio Vieira, Mendo de Foyos Pereira, the Duke de Aveiro, the Bishops of Vizeu, Leiria, Miranda, Oporto, Portalegre, and other personalities of the time of the regency of Dom Pedro II, in the seventeenth century.

The fourth volume, with No. 262 on the cover, has the title:

Collecção de cartas, a diversas pessoas, sobre varios, e importantes materias, collegidas de muitos Mss. raros, e authenticos, conservados em os antigos cartorios deste Reyno, por A. L. C. Anno de 1791.

317 num. leaves, 2 unnumbered leaves, 30cm.

Every letter is written by, and addressed to, a different person of the sixteenth, seventeenth and eighteenth centuries.

The fifth of these volumes, No. 253, has the title:

Papeis varios sobre importantes materias, apanhados por A. L. C. (1792).

64 (9-30 missing), 41 numbered leaves, 28 unnumbered leaves, 65-85, 124-454 numbered leaves, 1 unnumbered leaf, 30 1/2cm.

The initials are those of Antonio Lourenço Caminha, the collector already referred to. This is his original compilation of copies of papers referring to many subjects: a procession in Coimbra after the acclamation of King João IV.; the instructions given by King João III. to his ambassadors near Charles V., and the Queen of France, and also to the ecclesiastical delegates to the Council of Trent; and many other diplomatic and political documents, as well as economical, commercial, genealogical, even didactical—indeed, a true miscellany.

A volume of 252 unnumbered leaves (22cm.), contains, besides the much discussed *Monita Secreta* of the Jesuits, and other published papers, documents of different kinds, as “Papel Gravissimo de conceitos do Pe. Gabriel da Purificação para o Conde de Castello Melhor”; letters in verse addressed to the Count de Tarouca and his answers, etc.

Another volume of 203 numbered leaves (20 1/2cm.), contains several academic essays—such as: “Which is more attractive, beauty or intelligence?” And, “Which is more useful for a prince to have as minister, a flatterer or an ambitious man?” It also contains a few papers from Father Antonio Vieira, including prophecies about King Sebastian.

A third volume of 293 pages (21 1/2cm.), contains the “Processo e Sentença que no Tribunal do Santa Officio da Inquizição de Coimbra se deo ao Pe. Antonio Vieyra da Companhia de Jezus”.

Defensa legal por El Ex.^{mo} S.^{or} D. José Moñino Conde de Florida-blanca. Contra El Marques de Manca, D.ⁿ Vicente Salucci, D.ⁿ Juan del Turco y D. Luis Timoni indiciados en varios libelos calumniosos contra su Ex.^a y otras personas de caracter. Año de 1798.

649 p., 22 1/2cm.

This copy, written in a very clear hand of its period, belonged to Cypriano Ribeiro Freyre, first Portuguese minister to the United States (1794-1801), and later on, to Rodrigo da Fonseca Magalhães, a celebrated political leader in Portugal, who, at the end of his long public life, was prime minister by virtue of the victory of the party *Regenerador* in 1851.

Moniño, or Florida Blanca (1728-1809), was a famous Spanish statesman who pleaded for the suppression of the Jesuits, settled important controversies with the Holy Sea, and gave a great expansion to public works, agriculture, economy, commerce, and science. He concluded with Portugal the well known treaty of 1777, regarding the respective boundaries of the two Iberian empires in America. An advocate of armed neutrality, he fought British policy by diplomacy, and through military effort, but was not always successful, and became the victim of the intrigues of his domestic foes, who, under the successor of Charles III., had him imprisoned and exiled.

This defense, which is probably unpublished, concerns this troubled period of his life which started in 1792; he only emerged from retirement to become the president of the central board of the national revolutionary government against Napoleon in 1808, and died immediately after.

A curious item amongst the Portuguese manuscripts of the Oliveira Lima Collection, is a memoir on Portuguese America. It was written in Paris in 1763 by Antonio Nunes Ribeiro Sanches, and addressed to his friend, D. Luiz da Cunha. This unpublished autograph of 124 numbered leaves—leaves 25 to 72 missing, 24cm., was acquired thirty years ago at the sale of the architect Nepumuceno, who possessed one of the finest private libraries in Portugal; and an article about it was written by Dr. Manoel de Oliveira Lima entitled "*Curiosidades bibliographicas*".²²

Ribeiro Sanches (1699-1783), was a Portuguese Jew, whom the Inquisition compelled to leave his country. He had studied at Salamanca, and became a globe trotter, visiting London, Paris, and the Low Countries, and was a student at the University of Leyden, the most famous for a while in Europe, and also at the University of Montpellier, which, for a century at least, enjoyed a high reputation. Recommended by the learned Boerhaave to the Empress of Russia, Anna Ivanowna, he occupied several important military medical functions, and in his travels in European and Asiatic Russia, he gathered valuable information about animals which he transmitted to Buffon. Catherine the Great, whom he had cured when she was a child, granted him later on, an annual pension of 8000 roubles. Meanwhile, back in Paris, he had been in assiduous correspondence with the Marquis de Pombal, especially about education, public health, and tropical agriculture. A member of several academies and scientific associations of Portugal, Russia, and France, he wrote several medical works, particularly from an hygienic and social standpoint.

²² In *Revista Brasileira*, December 1898.

In many of his ideas, he was very much advanced, and in some even a precursor, for instance, regarding the hereditary effect of syphilis, and the convenience for Russia of liberating the serfs.

In the above-quoted memoir, we find a community of ideas between Sanches and D. Luiz da Cunha. Both praised the Jews; find the convents too numerous; criticises the lack of due protection of Portuguese textile industry against British production; advise the opening of Brazil to foreign colonization, independent of any religious prejudice; and other equally sound ideas. In fact, some of these had been already advocated by Father Antonio Vieira, within each country. Sanches, however, was for freedom of industry and commerce in the true spirit of Adam Smith's economy, one of the aspects of Rousseau's philosophy.

Besides his few printed books, Sanches left a much larger number of unpublished works, many of which exist, collected in nine volumes (five in folio and four in quarto), in the Library of the Faculty of Medicine in Paris.²³

Compendio historico analitico do Juizo que tenho formado das 17 cartas contheudas na Colleção estampada no anno proximo passado de 1777 em Londres no idioma Inglez e recebidas nesta Villa do Pombal nos principios deste prezente anno de 1778.

53 unnumbered leaves, 22cm.

The Marquis de Pombal (1699-1782), wrote these commentaries, as he says in his introduction, in the year 1778, when he was seventy-nine years old. He was at that time in exile from the court, after having filled for twenty-seven years with great ability, a strong spirit of reform, and an energy which sometimes reached cruelty, the function of minister near King Joseph, as fully as did Richelieu, near Louis XIII. of France.

The letters which follow in the Portuguese version, and were published in English in London, refer to his internal administration, and to his diplomatic work, Pombal's explanations are very interesting, some of them relating to the invasion of Rio Grande do Sul in 1774 by forces from Buenos Aires. They do not seem to have ever been published; at least Innocencio da Silva and Brito Aranha do not mention any publication of them in their great bibliographical work.²⁴

Historia das Conjuracoes acontecidas em o Reyno de Portugal.

Papel que existia no Cartorio do Illus.^{to} e Excellen.^{to} Senhor Martinho de Mello e Castro & &.

224 numbered leaves, 30 1/2cm.

The author is the Marquis d'Alorna (1726-1802), one of the victims of the régime of the Marquis de Pombal. This all-powerful minister of King Joseph I. of Portugal directed all of his energy, as Richelieu did, against the great nobility of the kingdom, that part at least which did not show him subservience. Pombal was also hostile to the Jesuits, whom he expelled from Portugal and its dominions.

²³ Alfred Franklin, *Recherches sur la Bibliothèque de la Faculté de Médecine de Paris*, (1864), p. 157.

²⁴ *Diccionario bibliographico portuguez*, Lisboa, 1858.

Later, with the coöperation of Choiseul and Aranda representing France and Spain (including Naples), he was able to bring about the suppression of the Order of Jesus by Pope Clement XIV. Alorna married into the Tavora family, which Pombal accused of having made an attempt against the life of the king, and proceeded to extinguish in the terrible judicial butchery of Belem. Those memoirs of eighteen years' imprisonment were published in 1857 by the Reverend José de Sousa Amado. Several manuscript copies of the period exist, however, and the above is one of them.

Registro da correspondencia official da Commissão que El Rei Nosso Senhor mandou ao Rio de Janeiro em 1823 (cover-title. The first flyleaf has the following note): "Este livro hade servir para registro dos officios, e mais documentos relativos ao objecto da Commissão, que Sua Magestade El Rei Nosso Senhor mandou ao Rio de Janeiro neste anno de 1823, da qual são membros o Conde de Rio Maior, e o Conselheiro Francisco Jose Vieira, e Secretario Antonio Xaxier d'Abreu Castello Branco: Vai numerado, e rubricado pelo dito Conde de Rio Maior; sendo addido a mesma Commissão Domingos de Saldanha de Oliveira e Daun. Bordo da Corveta "Voador", 17 de Setembro de 1823. (Signed): O Conde de Rio Maior". (At the end is the following note): "Tem este livro cento e quarenta e seis folhas, que vão numeradas e por mim rubricadas. Bordo da Corveta "Voador" surta no Rio de Janeiro 17 de Setembro de 1823. (Signed): O Conde de Rio Maior".

1 p. 1., 146 numbered leaves, 31cm.

This manuscript contains the original proceedings²⁸ of the mission to Brazil in 1823, of Count de Rio Maior (1776-1825), in order to obtain from Emperor Dom Pedro I. the reconciliation of the dynasty on the basis of the reëstablishment of the Portuguese-Brazilian kingdom. The emperor imposed as a condition to receive the mission, the previous recognition of Brazilian independence. The corvette on which the mission had sailed was considered a war prize, and so kept by the imperial government.

MANOEL DE OLIVEIRA LIMA.

Catholic University of America.

²⁸ See *Bibliographical and historical description of the rarest books in the Oliveira Lima collection*. No. 185 (p. 283).

CHILEAN LITERATURE

Of all the arts, literature reflects more plainly the character of a people, in a way that everybody, and not only the initiated, as in painting or music, can understand. A book of stories or verse is the unmistakable voice of a people, and it is sufficient to be able to read, without knowing anything of the technicalities of the art of writing, to have a full understanding as to its meaning and soul. I will dare to say, furthermore, that literature is more attached to place and times than other arts; and for this reason a country finds first its expression in the art of writing before it can do anything in the other branches of self-expression. And this is as true of the United States as of Chile.

The first production of what we may call Chilean Literature happens to be one of the most celebrated epics in the Spanish language, today a classic of world fame. The poet, Don Alonso de Ercilla, a Spanish soldier of fortune, sings of friend and foe alike, the Spanish conqueror and the Araucanian Indian, with that true broadness of soul that distinguishes the Homers and the Virgils. Other native poets have followed him with more or less happy sequels to his epic, until when, far into the colonial period, the dreary routine of life produces our Cotton Mather, Father Lacunza, with his visionary inspiration of the Coming of Christ in Glory and Majesty.

At that period (1600-1800 A.D.) learning is almost exclusively confined to the churches, and even within the religious orders, to that of the Jesuits. It is then self-explanatory why our colonial authors—historians, theologicians, naturalists—are men of the church: Ovalle, Rosales, and Molina, all Jesuits, have given us the history of the conquest and the colonial period in Chile, while another churchman, Camilo Henriquez, appears as the spirit of political freedom at a moment when many a secular colonist was still vacillating in breaking off his allegiance to the Spanish king.

There is yet another particular in which the development of Chilean Literature reminds us of that of the United States. The political agitation preceding the strike for independence is enhanced by a peculiar kind of literary production, the pamphlet, a sort of literature always flourishing when there is great need for giving expression to popular feeling and there is lacking the modern medium of public utterance, the daily press.

When the public began to interest itself in political problems in Chile, the newspaper was *the* book. Real books were there, as here, scarce and expensive, while a plain sheet of paper carelessly printed was wont to convey to the reader a more freshly appealing message. All the writers of that period, even the poets and the dramatic authors, were therefore journalists. A few names will suffice to emphasize the fact that everyone of them was at the same time a public man, that is to say, a preacher of political reform and a leader in the struggle to put such reforms into effect. Camilo Henríquez and Martínez de Rosas, Salas and Infante, were our Paines, Jeffersons, and Franklins of the Revolution.

Besides the writers active in politics, there was another large group of literary men who were devoting their activities to the great educational task which was destined to make Chile the experimental field for many an educational reform. Learned men from several neighboring countries, political refugees who had made Chile their home, joined hands in this work. The Chilean Lastarria, the Venezuelan Andrés Bello, the Spaniard Mora, and the Argentinian Sarmiento were fast putting Chile at the head of the movement for public education among the young republics of Hispanic America.

As a lasting example of that collaboration of the political and social thinker, the Chilean Civil Code stands as a model after which other constituent assemblies have patterned the letter and spirit of their laws. In the same way our school and college textbooks have spread the teachings of the Chilean educational system over all the South American continent.

With Lastarria there begins to develop an interest higher than the actuality, by which the newspaper and the pamphlet are inspired. In order to encourage the production of purely literary and fictional work, the master himself ventures into a field for which he undoubtedly could show more enthusiasm than natural gift. About the year 1850 literary production begins to assume the various forms of lyrical poems, the novel and the drama. Salvador Sanfuentes, Eusebio Lillo, the author of our National Anthem, Guillermo Blest-Gana, among the poets; Alberto Blest-Gana, Vicente Grez, Zapiola, among the writers of fiction and memoirs, are the outstanding names of the period.

In more individual activities, J. J. Vallejo impersonates the transition between the purely social literature and fictional art. As an

observer and a satirical author on people's habits, he laid the necessary foundation for the Chilean novel of the future. He is at the same time pessimistic and sarcastic, and is the first Chilean writer of prominence who refused to identify himself with a political party, in order to be exclusively a litterateur.

His contemporary, Pérez-Rosales, shows how to produce an interesting book lasting and original, by writing a simple autobiography. It is true that his *Remembrances of Long Ago* (*Recuerdos del Pasado*) would not even be known to our generation, were it not that the stage in which its chief actor moves is so ample and the episodes which constitute his everyday life participate of the true character of a novel of adventure. The spirit of the Chilean people of his time, a wandering, enterprising, inconstant people, impersonates itself in this man, who tasted of all the alternatives of fortune and social position; who was a miner up in the north, a farmer in the central provinces and a settler in the south of Chile; who traversed the Cordilleras and the Argentinian pampas as a cattle dealer, and came to California in search of gold, to finish his life as a sedentary public official.

For Vicuña-Mackenna, on the contrary, life is a quiet, steady affair, for, had he not been allowed to remain in the same place, he could not have found time to pour out from his pen the gushing stream of semi-historical traditions flowing from his imagination for twenty short years. The history of the country, so exploited by everyone of our writers, becomes under the spell of his vivid imagination a thing full of color and movement. He is the first of our chroniclers for whom dates and figures are not of primary importance, but the character of the people with the atmosphere of the times.

With the exception of the names already mentioned, and a few others less significant, the rest were only accidental litterateurs, who after a few youthful pieces of verse or a light attempt at fiction blew out of inspiration and became tame functionaries or shrewd business men. There are, however, some specialists of accomplished talents and strong personality, such as the diligent historians Miguel Luis Amunátegui and Ramón Sotomayor-Valdés; the jurist Ambrosio Montt; Zorobabel Rodríguez, the economist; Justo Arteaga and Isidoro Errazuriz, polemic writers and parliamentary orators. In even more specialized fields we have the bibliographical studies of José Toribio Medina, the prosodic and metrical treatises of Eduardo de la Barra,

a man responsible for the introduction of modernism into Chilean letters; and the authors of biographical dictionaries, Cortés and P. P. Figueroa.

Within the last twenty-five years, literature has undergone a great change in Chile, and the press has followed suit, passing from the political and personal stage to the informative and impersonal. The writers of today have perhaps a less marked individual influence in the life of their time, but what they may have lost in breadth of influence they have gained in perfection of art.

After the novels of Blest-Gana, which are for the Chileans today a matter of historical rather than purely literary interest, we have the books of Luis Orrego Luco, full of observation and social satire, although somewhat loosely composed. Baldomero Lillo has created the best type of short story, while Gana and Maluenda have perfected it on the side of form. Guillermo Labarca, Augusto Thomson, Fernando Santivan, Eduardo Barrios, Joaquin Edwards, Mariano Latorre, Pedro Prado, and Januario Espinosa are among the *noms à retenir* of the present generation. At least three women must be included in this bare list, with the names of Inés Echeverría-Larraín, Amanda Pinto-Labarca, and the poetess Gabriela Mistral.

After the romantic verbal display of Pedro Antonio González, Chilean poetry assumes a more individual character in the work of men like Dublé, Pezoa, Domingo Silva and others. Magallanes-Moure marks the peak of perfection among contemporary Chilean poets, as De la Vega indicates the happy liason between exclusive and popular lyricism.

In the field of criticism we have writers such as Fuenzalida-Grandon, Pedro Cruz, Enrique Sanfuentes, Astorquiza, Dávila, Armando Donoso; and educational writers and reformers of the high type of Valentin Letelier, Carlos Fernández-Peña, Enrique Molina and Max Salas-Marchán. Prominent in economics are Professors Subercaseaux, Encina, and Alberto Edwards. Epochal books, like *Raza Chilena*, by Palacios, and the *Azul* of Ruben Dario, which was written in Chile, were destined to revolutionize the thought of their generation throughout the whole Spanish world.

Other writers with a wide popular influence are Joaquín Díaz-Garces, Carlos Silva-Vildosola, Tancredo Pinochet, Alberto Orrego-Luco, M. J. Ortiz, Egidio Poblete, Micael Correa, and Enrique Tagle.

Following them, the younger generation strives for an ideal of refinement and transcendentalism. Diverse as their temperament might be, the strong traits of our united, homogeneous race are marked in all of them. The frugality of our early life, the definiteness of our horizon and the cohesive strength of our nationality are reflected in a literature of marked sobriety of form, virility and directness. Out of this there must come a production not only able to sustain comparison with that of our literary fathers, but endowed with the qualities gained in other fields by the progress and refinement of our national culture.

CARLOS CASTRO RUIZ.

University of Santiago, Chile.

NOTES

Señor José de la Peña, secretary of the Archivo General de Indias at Seville, and Señor J. M. Aguilar of the University of Seville are translating into Spanish Professor William Spence Robertson's *History of the Latin American Nations*. The Spanish edition of that work will be published in Barcelona. Professor Robertson is editing for publication by the Hispanic Society of America "The Diary of Francisco de Miranda; Tour of the United States, 1783-1784", which he discovered in 1922 among the papers of Lord Bathurst at Cirencester, England.

At last a complete translation of *Las Siete Partidas* into English is now in course of publication. Over a century ago, a partial translation was made by two Louisiana lawyers, Moreau and Carleton, but their work is nearly out of print and never completed. The original is in thirteenth century Spanish which few Spanish scholars of today attempt to read, and is therefore inaccessible to all but a limited number. As is well known, *La Siete Partidas* form the groundwork for the law not only of Spain, but of all Spanish America, the Philippines, and to a certain extent of Louisiana. They are an indispensable source in the study of comparative law, legal history, and in fact a great deal of Spanish history. Important as they are to the jurist they are hardly less so to the historian. The translation was given to the American Bar Association by the translator some years ago and after many vicissitudes is now being put into type. There will be a preface by Dr. Charles Sumner Lobingier, formerly American judge in the Philippines and in China, who is well qualified both by training and temperament to undertake that task.

The latest information relative to the Inter-American Historical Series is as follows:

The Inter-American Historical Series was first suggested by Professor C. W. Hackett of the University of Texas and was approved by the Bolivarian Centennial Congress held at Panama in 1926. It will consist of fifteen volumes, and an atlas of Hispanic-American History. The fifteen volumes will be translations of histories already written, one covering Central America, one devoted to Santo Domingo and Haiti, one general history of Hispanic-America, and each one of

the remaining twelve covering one of the Hispanic-American countries. The volumes have been selected by sub-committees appointed by the Inter-American Historical Commission. This commission is made up from the membership of the Hispanic-American History Group of the American Historical Association. The one criterion adopted for making selections was that the histories should be those generally used in colleges in the several Hispanic-American countries.

It has been found that such histories were among the best available for translation and not only give accurate information, allowing for variety of opinion, but also offer the English student a fairly exact view of the attitude of Hispanic Americans on such questions as nationalism, interference or overlordship by the United States, economic imperialism, development of natural resources, cultural progress, etc.

There are no volumes available in English written by Hispanic Americans covering in detail the history of these nations. There is in print no atlas of Hispanic-American History. It has seemed to the University of North Carolina Press that this series would fill a need which is keenly felt by teachers of Hispanic-American History, and by serious students of American history who are not familiar with both Spanish and Portuguese. Will you please look over the following pages and let us have your opinion on the desirability of such a series—and your subscription, if you care to have the volumes yourself?

LIST OF HISTORIES SELECTED FOR THE INTER-AMERICAN HISTORICAL SERIES

1. ARGENTINA:

Levene, R., *Lecciones de historia argentina*. 2 vols., Buenos Aires, 1925, J. Lajouane y Cia. (Some condensation to be made so as to bring the number of words down to approximately 175,000 words.)—Prof. W. S. Robertson (University of Illinois), translator and editor.

2. BRAZIL:

Ribeiro, João, *Historia do Brazil*. (Approximately 540 pages—160,000 words.)—Prof. P. A. Martin (Stanford University), translator and editor.

3. CHILE:

Galdames, L., *Estudio de la historia de Chile*. Santiago, 1925, Imprenta universitaria. (Approximately 175,000 words.)—Prof. I. J. Cox (Northwestern University), translator and editor.

4. URUGUAY (tentative choice):

Hermano Damascenas (Perret, E.), *Ensayo de historia patria*. Montevideo, 1909, Talleres Gráficos, A. Barreiro y Ramos. (Approximately 160,000 words.)—Prof. C. W. Hackett (University of Texas), translator and editor.

5. MEXICO:

Pérez Verdia, Luis, *Compendio de la historia de México*. Mexico, 1911, C. Bouret—Cinco de Mayo 45. (Approximately 160,000 words.)—Prof. H. I. Priestley (University of California), translator and editor.

6. DOMINICAN REPUBLIC AND HAITI:

(Texts for translation not yet selected.)—Prof. A. S. Aiton (University of Michigan), translator and editor.

7. VENEZUELA:

Tejera, Felipe, *Manual de historia de Venezuela*. Fifth edition, 1913. (Text to be supplemented with chapters covering period 1881-1920.)—Prof. Alfred Hasbrouck (Columbia University), translator and editor.

8. ECUADOR:

Destrugge, C., *Compendio de la historia del Ecuador*. 1915 edition, 204 pages (approximately 42,000 words).—Prof. W. H. Callcott (University of South Carolina), translator and editor.

9. BOLIVIA (tentative):

Ordóñez López, M., and Crespo, L. S., *Bosquejo de la historia de Bolivia*. La Paz, 1912, Imprenta y Litografía Boliviana. (Approximately 160,000 words.)—Prof. J. L. Mecham (University of Texas), translator and editor.

10. PERU:

Wiesse, C., *Historia del Perú*. 4 vols. Lima, 1922. Librería Francesa y Casa Editorial. (Considerable condensation to be made.)—Prof. W. W. Pierson (University of North Carolina), translator and editor.

11. CUBA:

Vidal Morales, *Manual de historia de Cuba*, revised by Carlos de la Torre. (Comparatively small volume.)—Prof. C. E. Chapman (University of California), translator and editor.

12. COLOMBIA (tentative):

Henáo, J. M., and Arrubla, G., *Historia de Colombia*. 2 vols. Bogota, 1911-1912, Escuela tipográfica Salesiana (considerable condensation to be made).—Prof. J. F. Rippy (Duke University), translator and editor.

13. CENTRAL AMERICA:

Villacorta, C. J. A., *Historia de la América Central*. 1 vol., Guatemala. (This is to be supplemented with a short history of Panama and to be brought up to date. Approximately 150,000 words.)—Prof. N. A. N. Cleven (University of Pittsburgh), translator and editor.

14. PARAGUAY:

Báez, C., *Resumen de la historia del Paraguay* (comes down only to 1880. Chapters that will bring the national development up to date will have to be added. Approximately 100,000 words in all.)—Prof. Mary Williams (Goucher College), translator and editor.

15. LATIN-AMERICAN SYNTHESIS:

Navarro y Lamarca, Carlos, *Compendio de historia general de América*. 2 vols., Buenos Aires, 1913, Angel Estrada y Compañía. (Some condensation to be made.)—Prof. H. E. Bolton (University of California), translator and editor.

LIST OF SUB-COMMITTEES WHICH SELECTED THE HISTORIES FOR
THE INTER-AMERICAN HISTORICAL SERIES

GENERAL EDITOR: PROFESSOR JAMES A. ROBERTSON

- | | |
|--|------------------------------------|
| 1. ARGENTINA: | 8. ECUADOR: |
| Prof. W. S. Robertson (Univ. of Ill.) | Prof. Callcott |
| Prof. Chapman (Univ. of Calif.) | Prof. Rippy |
| Prof. Callcott (Univ. of S. C.) | Prof. W. S. Robertson |
| 2. BRAZIL: | 9. BOLIVIA: |
| Prof. Martin (Stanford Univ.) | Prof. Mecham |
| Prof. Pierson (Univ. of N. C.) | Prof. Clevon (Univ. of Pittsburgh) |
| Prof. Mary W. Williams (Goucher College) | Prof. Chapman |
| 3. CHILE: | 10. PERU: |
| Prof. Cox (Northwestern Univ.) | Prof. Pierson |
| Prof. Mecham (Univ. of Texas) | Prof. Aiton |
| Prof. Pierson. | Prof. Martin |
| 4. URUGUAY: | 11. CUBA: |
| Pro. Hackett (Univ. of Texas) | Prof. Chapman |
| Prof. W. S. Robertson | Prof. Haring |
| Prof. Mary W. Williams | Prof. James A. Robertson |
| 5. MEXICO: | 12. COLOMBIA: |
| Prof. Priestley (Univ. of Calif.) | Prof. Rippy |
| Prof. Hackett | Prof. Cox |
| Prof. Bolton (Univ. of Calif.) | Prof. Bolton |
| 6. DOMINICAN REPUBLIC AND HAITI: | 13. CENTRAL AMERICA: |
| Prof. Aiton (Univ. of Mich.) | Prof. Clevon |
| Prof. Haring (Harvard Univ.) | Prof. W. B. Shepherd |
| Prof. Priestley | Prof. Hackett |
| 7. VENEZUELA: | 14. PARAGUAY: |
| Prof. Hasbrouck (Columbia Univ.) | Prof. Mary W. Williams |
| Prof. W. R. Shepherd (Columbia Univ.) | Prof. Priestley |
| Prof. Rippy (Duke Univ.) | Prof. Callcott |
| | 15. SPANISH-AMERICAN SYNTHESIS: |
| | Prof. Bolton |
| | Prof. Shepherd |
| | Prof. Clevon |
| | Prof. Williams |
| | Prof. Mecham |

Under the directorship of Professor Rafael Altamira, of the Universidad Central of Spain and Spanish representative on The Hague Court—who is also the foremost Spanish historian of the present time—a new series of historical works has been inaugurated. This is entitled “Monografías Hispano-Americanas” and it will present all the problems of America under the authorship of those Hispanic American scholars most qualified to discuss them. The first volume of the series has already appeared, namely *Historia de las Relaciones inter-estatales de Centroamérica*, by Laudelino Moreno Fernández. The volume consists of fourteen chapters as follows: Independencia de la América Central; Período constituyente; El Estado federal y los Estados federados; Régimen de los treinta años; Reacción liberal; La República Mayor de Centroamérica y los Estados Unidos de Centroamérica; Movimiento unionista y Contiendas entre los Estados hasta los Pactos de Washington de 1907; Ejecución de los Pactos de Washington; La América Central desde los Pactos de Washington hasta el Pacto de Unión de 1921; Unión federal de 1921; La República federal de Centroamérica; Tratado de Washington de 1923; and La Reconstrucción política de Centroamérica. The series is being published by the Compañía Iberoamericana de Publicaciones, S. A., Calle Don Ramón de la Cruz, 51, Madrid. Other volumes already announced in the series are as follows: *Sistema de la Constitución política de Colombia*, by Francisco Carrillo Guerrero; and *Historia del Derecho esclavista hispano-colonial*, by Dr. Fernando Ortiz, of Cuba. In its scope the series will cover the period from the most remote times to the present and will cover all activities of the peoples of the several Hispanic American states. Volumes will be chosen carefully and must present new matter of value. In its geographical connotation, the series will deal in general only with Spanish American and Brazilian affairs. The series should have a wide circulation.

Those wishing copies of C. K. Jones, *Hispanic American Bibliographies*, which was published in 1922 under the auspices of *The Hispanic American Historical Review*, may procure them by writing to James A. Robertson.

La Condesa de Merlin (María de la Merced Santa Cruz y Montalvo), a posthumous work of Domingo Figarola Caneda, has just

appeared from the press of Éditions Excelsior, Paris. The volume is a bibliographical and biographical study and is based on manuscripts, and on all editions of her works. Sr. Figarola Caneda was formerly the erudite and active founder and director of the Biblioteca Nacional de la Habana and was well known in all historical and literary circles in Cuba for his scholarly interests and his output. He was most active in promoting the work of the Academia de la Historia de Cuba whose works he edited for many years. The present volume was published under the direction of his widow who is herself well known for her bibliographical work on Cuban history. It is published on excellent paper with good types and pleasing illustrations. There is a biographical sketch of the author by Sancho B. Muro. This book will be more fully mentioned in a later number of the REVIEW.

Mrs. Isabel Sharpe Shepard, of Washington, has recently completed her work on contemporary Hispanic American authors; and it is understood that the volume will be published before long. The work is intended as a manual of modern Hispanic American literature.

Éditions Tolmer, of Paris, announce the publication of *Légendes Croyances et Talismans des Indiens de l'Amazone*. These legends, etc., are adaptations by P. L. Ducharte after relations by Couto Magalhaes, Barboza Rodrigues, Rocha Bomba, and others. The volume is illustrated by the Brazilian, V. de Rego Monteiro.

Don José M. Quiñones de León is reported to have donated to the Venezuelan nation a very valuable collection of manuscripts relating to the life of General Simón Bolívar, the Liberator. The documents are described as the "Private Archives of the Liberator" and are reported to have come into the possession of Quiñones de León through an ancestor, J. de Francisco Martín. The collection has already been despatched from Spain, and upon its arrival here it will become part of the voluminous Bolívar archives which the Venezuelan government has collected in bound form and which are installed in the house in Caracas where General Bolívar was born. It is reported that the Venezuelan government will soon begin the publication of any unpublished material that may be found in the new archives.

Sr. José Torivio Medina, the distinguished Chilean bibliographer and historian, has given his library of about 20,000 volumes—largely Americana—to the Biblioteca Nacional of Chile. The collection will be kept intact, in a room set aside for it in the national library. A number of Sr. Medina's own works, including some of those of notably attractive format, such as his edition of Alonso de Ercilla's *La Araucana*, and his great bibliography were printed and bound by himself, with the aid of assistants, in his own home. It is cause for regret that a poor quality of paper was used for some of these publications.

Few countries in the world have such admirably cared for and classified archives as Venezuela, thanks to the intelligent, laborious devotion of Dr. Vicente Davila, superintendent of Venezuelan public records. The archives are housed in an earthquakeproof and fireproof building, and are supplied with indexes, built on proper names, which are the delight of the research worker.

MINUTES OF THE WASHINGTON MEETING OF THE HIS-
PANIC AMERICAN HISTORY GROUP OF THE AMERI-
CAN HISTORICAL ASSOCIATION

The Hispanic American History Group held two meetings at the Washington gathering of the American Historical Association. These meetings were held on Wednesday, December 28, 1927; the first in the morning, the other in the evening. The first was the regular sectional meeting of the Association program and had been accorded the Group through the mediation of its chairman, Professor Millidge L. Bonham, Jr., of Hamilton College. The meeting was called to order by the chairman who, in a short but most happy speech, called attention to the appropriateness of the Hall of the Americas for such a gathering. After which he presented his Excellency Doctor Ricardo J. Alfaro, Minister of Panama to the United and Vice-Chairman of the Governing Board of the Pan American Union, as the presiding officer of the morning. He also called attention to the large interest which the distinguished gentleman himself had in history. His Excellency Doctor Alfaro after having expressed his great pleasure for the honor conferred upon him welcomed those present, in the name of the Governing Board of the Pan American Union, to the Hall of the Americas as the home of the Americas. He then presented the first participant in the program, Professor Arthur Scott Aiton of the University of Michigan. Professor Aiton read a paper on "The Asiento Treaty as Reflected in the Papers of Lord Shelburne". The materials contained in volumes forty-three and forty-four of the Shelburne Manuscripts constitute the private and official papers of Peter Burrell, secretary and sub-governor of the South Sea Company. They relate primarily to the most important period of this organization's activities in the years between the second reprisal of 1727 and the outbreak of the War of Jenkin's Ear. They consist of the jealously guarded financial accounts of the company, detailed ship and factory reports of the Asiento slave trade to Spanish America, reports of the annual and permission ships, lists of good imported into and exported from his Catholic Majesty's Colonies, both legally and illicitly, a comprehensive body of confidential letters from factors and agents scattered from Havana to Buenos Aires, and the European correspondence of the sub-governor.

The second participant was Professor Vera Lee Brown of Smith College who read a paper on "English Contraband Trade in the Eighteenth Century: a Factor in the Decline of Spain's American Empire". The third and last participant in the morning's program was Professor Arthur P. Whitaker of Vanderbilt University. He read a paper on "The Commerce of Louisiana and the Floridas at the End of the Eighteenth Century". All three of these important papers are published in the present number of the *REVIEW*. An effort to arouse a discussion on any of the subjects presented proved unsuccessful. This may be due almost wholly to the fact that no provision had been made for it in the formal program. After a few announcements the session was adjourned.

The second Hispanic American gathering was the dinner meeting in the Presidential Suite of the New Willard Hotel. Professor Milledge L. Bonham, Jr., presided and performed the duties most admirably. The meeting was devoted to business matters. The minutes of the Rochester meeting were read and approved. The chair declared the selection of a permanent secretary of the meeting to be in order and called for nominations. The undersigned was nominated and unanimously elected. Reports of committees were then given. Professor Charles W. Hackett of the University of Texas, General Chairman of the Hispanic American History Commission, stated that the work of the Commission was progressing nicely; that the interest taken in the publication of the Inter-American Series—the name chosen for the set in place of that of Bolivarian Series of Historical Studies because it was felt to be a more appropriate title—was very encouraging and seemed to promise concrete results; and that there would be, he hoped, a full report possible at the next meeting of the Group. Professor A. Curtis Wilgus of the University of South Carolina stated, after consulting with Dr. James A. Robertson and Dr. C. K. Jones, that he had written, during the fall of 1927, to twenty individuals in the United States, Europe and Hispanic America suggesting the compilation in several volumes of a critical bibliography of all books published in the principal languages dealing with Hispanic America, and asking for criticism and suggestions. All persons who answered were in favor of the plan, and ten offered to coöperate in the undertaking. Moreover, several valuable suggestions were received as to the organization and classification of subject matter with the result that two

schemes were formulated: 1. A series in which each volume should cover a period of years (*e.g.*, 1910-1925), with bibliographical data arranged topically; 2. a series in which each volume should deal with a certain topic (*e.g.*, "Spanish Colonies under the Hapsburgs"), with bibliographical notices arranged topically and chronologically. At present the latter plan seems most practical. Further suggestions were made regarding the inclusion, besides printed books, of pamphlets, maps, transcripts of documents in libraries of the United States, and selected periodical materials. No attempt has been made as yet to decide upon the number of volumes to compose the series, nor has a publisher been definitely found. Negotiations, however, are being carried on for the latter purpose and some proof has actually been set up. Though the plan may not be consummated for a number of years, it is believed that a concrete beginning should be made at once. Notice of progress, therefore, will appear from time to time in the pages of the *HISPANIC AMERICAN HISTORICAL REVIEW*.

The report was accepted and the general plan for a bibliography of Hispanic American History as outlined in the above report was approved.

Professor James A. Robertson was asked to give a report on the *HISPANIC AMERICAN HISTORICAL REVIEW*. The outlook for the publication, he stated, was now much brighter. There was much material from which to select and because of this he cautioned against over amount of eagerness to have an article appear in the next issue of the *REVIEW*. He could only hope that the magazine might be enlarged and that it might appear every month rather than just four times a year.

The matter of an Hispanic American Historical Atlas was discussed briefly. It was the opinion expressed that the Atlas should be prepared with the greatest care and that if it were so prepared it was bound to meet a very general need. Attention was called to the fact that during the meeting of the Hispanic American History Commission in the afternoon it had been decided to include in the Inter-American Series of Historical Studies such an Atlas and that all that was asked for at this time was a general approval of this course.

The matter of a permanent organization for the Group was then taken up. The secretary after briefly stating that he felt that there was a need for a definite formal organization presented the following resolution which he moved be adopted:

Whereas, the Hispanic American History Group have undertaken activities, such as the preparation of an Inter-American Series of Historical Studies and the backing of the HISPANIC AMERICAN HISTORICAL REVIEW, which require a more thoroughly organized agency through which to give them the necessary support, therefore be it *Resolved*,

First, that we, students and teachers of Hispanic American History, do, and by this act, constitute ourselves the Academy of Hispanic American History of the United States;

Secondly, that the Academy be so organized as to secure for itself the rights and prerogatives of such a body; and

Thirdly, that we select a temporary president, a temporary secretary, and a constitutional committee to proceed with the details of the organization of the said Academy.

The motion was duly seconded, and the whole subject discussed in detail. The general opinion was against taking such a step at this time. The word "Academy" was much too pretentious, too academic, and far too rigid to serve the larger purpose of the Group. It was felt that the better plan would be to proceed quite informally as had been done in the past. Professor Cox was opposed to the idea on the ground that the time was not yet ripe for such an organization. He felt that it was best to move more slowly. Professor Paxson felt that it would be much better to move informally, seeking a place in an informal way on the general program of the Association, and meeting informally. Dr. Paltsits of the New York Public Library opposed the plan as being too pretentious. He thought it might be possible to form a closer affiliation of Hispanic American History Group with the American Historical Association, as an adjunct body, giving to it and its interests a permanency rather than the present loose and uncertain status, and perhaps securing to it some reasonable financial grant from the larger organization. If this could not be accomplished, he thought the Group ought to continue, even if under an independent organization, functioning under its own constitution and in its own peculiar interests. He thought the name "Academy of Hispanic American History", as suggested, to be too high sounding and exclusive to attract the larger membership and support of the HISPANIC AMERICAN HISTORICAL REVIEW that experience has shown to be necessary. He suggested that any plan for an independent organization should consider

an inclusive rather than an exclusive membership, to be made up of any persons who had an interest in Hispanic American History and in an active good will toward Hispanic Americans. Without wishing to press the title, he said his thoughts were represented by some such title for a new society as "The Friends of Hispanic American History". In such a plan the REVIEW could expand, the specialist could contribute knowledge, and the financier, commercial representative, or other interested party could coöperate. Professor Rippey thought it would be a good thing to have the impression created among the important members of the Historical Association that this Group contemplated just such a move as this. It would make them feel a little less jealous of its activities and a little more desirous of aiding it and giving it the recognition that it deserved. Professor Cleven declared that it was not at all vital that the organization should be called an Academy; but he felt that a formal organization such as suggested in his resolution should be formed; that there could not be the necessary support given the REVIEW or any of the other important activities of the Group unless there was a formal organization, a nucleus of all its aims as well as its activities; that the REVIEW which was at the present time the special creature of no organization, an interloper, and without the backing that could come through the more formal organization; and no real advance would be made by the Group until such an organization as he had proposed in his resolution had been perfected. Professor Robertson injected the query as to whether the enthusiasm could not better be conserved in a more formal organization and whether there was not fear that the enthusiasm which was now apparent for the whole cause might not be dissipated unless conserved in some such form as that which was proposed in the resolution before the house. A motion was then made to refer the whole question of a permanent organization to a committee of five to be appointed by the chair and to report at the next meeting of the Group. It was seconded and unanimously carried. The chair appointed Professor N. Andrew N. Cleven, chairman; Professor Laprade of North Carolina, Professor Mary W. Williams of Goucher College, Professor Vera Lee Brown of Smith College, and Dr. Victor H. Piltsits of the New York Library.

The selection of the chairman and the secretary for the next year was next declared in order. Professor Isaac J. Cox of Northwestern University was nominated for chairman and in the absence of any

other nominations was declared unanimously elected. Professor Arthur Scott Aiton of Michigan University was nominated for secretary and in the absence of any other nominations was unanimously declared elected.

The meeting adjourned to meet at Indianapolis in 1928.

N. ANDREW N. CLEVEN,

University of Pittsburgh.

Secretary.

Since the report made at the December, 1927, meeting of the Hispanic American History group at Washington, letters have been sent to all known persons willing and able to coöperate in the bibliographical work indicating a tentative organization of subject matter and asking that the recipient suggest, in some detail, the subjects and periods in which he or she would be willing to compile a critical bibliography, and in what language or languages. It is inevitable that some persons willing and able to coöperate have been overlooked. Such are hereby invited to correspond with the undersigned at their earliest convenience. Sixty-six replies to these queries were received during March and April, and by the beginning of May the formation of an editorial staff was under way. Upon the completion of this step all persons offering to give aid are to be notified of their definite assignments regarding fields and languages. It is hoped that during the summer final arrangements may be made for publication.

A. CURTIS WILGUS.

University of South Carolina.